

normal institutions, and also any other fees collected by the State Department of Education for any purpose whatsoever, shall be paid to the State Treasurer, and providing that such fees shall be appropriated and expended by the Legislature from time to time, and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act abolishing special funds in the State Treasury set aside therein for special and particular purposes, and placing all moneys that are in such funds in the general revenue fund so that all moneys shall be paid out on general warrants on an equal basis, payable as to order of payment according to serial number; prescribing how such warrants shall be numbered serially; providing that this act shall not apply to special funds created and provided for in the State Constitution which the Legislature cannot place or make applicable to the general revenue fund as herein provided for other special funds, nor to special funds consisting of taxes remitted or donated to counties, cities or localities; enacting the necessary provisions so that the general revenue fund will get the benefit of any such special funds now on hand to be collected, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. Satterwhite, the House, at 9:50 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

TWENTIETH DAY.

(Saturday, May 12, 1923.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

| | |
|-----------------|--------------|
| Abney. | Bird. |
| Amsler. | Bobbitt. |
| Arnold. | Bonham. |
| Avis. | Bryant. |
| Baker of Milam. | Burmeister. |
| Baldwin. | Cable. |
| Barker. | Carpenter |
| Barrett. | of Dallas. |
| Beasley. | Carpenter |
| Bell. | of Matagorda |

| | |
|------------------|---------------------|
| Carson. | Mathes. |
| Carter of Hays. | Maxwell. |
| Chitwood. | Melson. |
| Coffee. | Merritt. |
| Collins. | Miller. |
| Covey. | Montgomery. |
| Cowen. | Moore. |
| Crawford. | Morgan of Liberty. |
| Culp. | Morgan |
| Davenport. | of Robertson. |
| Davis. | Pate. |
| DeBerry. | Patman. |
| Dielmann. | Patterson. |
| Dinkle. | Perdue. |
| Dodd. | Pinkston. |
| Downs. | Pool. |
| Driggers. | Pope. |
| Duffey. | Potter. |
| Dunlap. | Price. |
| Dunn. | Purl. |
| Durham. | Quaid. |
| Edwards. | Quinn. |
| Faubion. | Rice. |
| Fields. | Robinson. |
| Finlay. | Rogers. |
| Frnka. | Rowland. |
| Gipson. | Russell |
| Greer. | of Callahan. |
| Hardin of Erath. | Russell of Trinity. |
| Harrington. | Sackett. |
| Harris. | Sanford. |
| Henderson | Satterwhite. |
| of Marion. | Shearer. |
| Henderson | Shires. |
| of McLennan. | Smith. |
| Hendricks. | Sparkman. |
| Houston. | Stell. |
| Howeth. | Stevens. |
| Irwin. | Stewart |
| Jacks. | of Galveston. |
| Jennings. | Stewart of Jasper. |
| Johnson. | Stewart of Reeves. |
| Jones. | Strickland. |
| Kemble. | Stroder. |
| Lackey. | Sweet. |
| Laird. | Teer. |
| Lane. | Thompson. |
| LeMaster. | Thrasher. |
| LeSturgeon. | Turner. |
| Lewis. | Vaughan. |
| Loftin. | Wallace. |
| Looney. | Wells. |
| McBride. | Westbrook. |
| McDaniel. | Wessels. |
| McDonald. | Williamson. |
| McFarlane. | Wilmans. |
| McKean. | Wilson. |
| McNatt. | Young. |
| Martin. | |

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Hull. |
| Fugler. | Simpson. |
| Green. | Stewart |
| Hardin | of Edwards. |
| of Kaufman. | Stiernberg. |
| Hughes. | Winfree. |

Absent—Excused.

Atkinson. Lusk.
Blount. Merriman.
Carter of Coke. Storey.
Lamb.

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 74, to the Committee on State Affairs.

Senate bill No. 51, to the Committee on Education.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Satterwhite, by unanimous consent, House bill No. 245 was ordered not printed.

On motion of Mr. Melson, by unanimous consent, Senate bill No. 89 was ordered not printed.

On motion of Mr. Faubion, by unanimous consent, Senate bill No. 69 was ordered not printed.

COMMITTEE TO INVESTIGATE
THREE PER CENT LOAN
COMPANY.

The Speaker announced the appointment of the following committee to investigate 3 per cent loan companies:

Messrs. Purl, chairman; Coffee, Green, Storey and Collins.

SENATE BILL NO. 32 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being

S. B. No. 32, A bill to be entitled "An Act making appropriations for the State government for two years beginning September 1, 1923, and ending August 31, 1925, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Quaid, and amendment by Mr. Arnold to the amendment pending.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—22.

Amsler. Lewis.
Arnold. Morgan
Bird. of Robertson.
Bobbitt. Rogers.
Burmeister. Sackett.
Carpenter. Shearer.
of Matagorda. Smith.
Cowen. Strickland.
Driggers. Stroder.
Durham. Turner.
Gipson. Young.
Greer.

Nays—80.

Abney. McNatt.
Avis. Martin.
Baker of Milam. Mathes.
Barrett. Maxwell.
Bell. Melson.
Bonham. Merritt.
Bryant. Miller.
Cable. Moore.
Carson. Pate.
Chitwood. Patman.
Crawford. Perdue.
Davenport. Pinkston.
Davis. Potter.
DeBerry. Price.
Dielmann. Purl.
Dinkle. Quaid.
Dodd. Quinn.
Dunlap. Rice.
Edwards. Rowland.
Faubion. Russell
Fields. of Callahan.
Finlay. Sanford.
Frnka. Satterwhite.
Hardin of Erath. Sparkman.
Harris. Stell.
Henderson. Stevens.
of Marion. Stewart
Henderson. of Galveston.
of McLennan. Stewart of Jasper.
Howeth. Stewart of Reeves.
Jennings. Sweet.
Jones. Teer.
Kemble. Thompson.
Lackey. Thrasher.
Laird. Vaughan.
Lane. Wallace.
LeMaster. Wells.
LeStourgeon. Westbrook.
Looney. Wessels.
McBride. Wilmans.
McDaniel. Wilson.
McFarlane.

Present—Not Voting.

Mr. Speaker. Hendricks.
Carpenter. Houston.
of Dallas. Pope.
Carter of Hays. Williamson.

Absent.

Baker of Orange. Baldwin.

| | |
|-------------|---------------------|
| Barker. | Johnson. |
| Beasley. | Loftin. |
| Coffee. | McDonald. |
| Collins. | McKean. |
| Covey. | Montgomery. |
| Culp. | Morgan |
| Downs. | of Liberty. |
| Duffey. | Patterson. |
| Dunn. | Pool. |
| Fugler. | Robinson. |
| Green. | Russell of Trinity. |
| Hardin | Shires. |
| of Kaufman. | Simpson. |
| Harrington. | Stewart |
| Hughes. | of Edwards. |
| Hull. | Stiernberg. |
| Irwin. | Winfree. |
| Jacks. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Quaid offered the following amendment to this section of the amendment:

Amend the amendment to Senate bill No. 32 by striking out lines 21 to 40, page 55, and lines 1 to 18, page 56.

The amendment was adopted.

Mr. Jennings offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 32, page 31, line 9, by striking out the word "two" at end of the line and inserting in lieu thereof the word "three," and by striking out on line 9 the "sum of \$5000 for the years ending August 31, 1924, and August 31, 1925," and inserting in lieu thereof the "sum of \$7500 for each year."

Signed—Baldwin, Jennings.

On motion of Mr. Quaid, the amendment was tabled.

Mr. Jennings offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 32, page 31, line 22, by striking out "\$2400 for the years ending August 31, 1924, and August 31, 1925," and inserting in lieu thereof "\$3600 for each year."

Signed—Baldwin, Jennings.

The amendment was lost.

Mr. Jennings offered the following amendment to this section of the amendment:

Amend the amendment to Senate bill No. 32, page 31, line 32, by striking out the item of "\$10,000 for the year ending August 31, 1924, and August 31,

1925," and inserting in lieu thereof the sum of "\$25,000 for each year."

Signed—Baldwin, Jennings.

The amendment was lost.

Mr. Jennings offered the following amendment to the amendment:

Amend amendment to Senate bill No. 32, page 31, line 10, by striking out "2750 for the year ending August 31, 1924, and August 31, 1925, and inserting in lieu thereof "\$3600 for each year"

Signed—Baldwin, Jennings.

The amendment was lost.

Mr. Pope offered the following amendment to the amendment:

Amend amendment by striking out each and every amount for each and every porter, porter hire, janitor, armorer, messenger, watchman, cleaner, matron, night watchman and elevator operator in this bill wherever same appears and insert between lines 15 and 16, page 54, the following:

"One Capitol Superintendent....\$1500"

That said Capitol Superintendent shall be appointed by the Governor and preference shall be given as to ex-service men of the World War having honorable discharge. Said Superintendent shall have the right to employ as many porters, janitors, armorers, messengers, watchmen, cleaners, matrons, night watchmen and elevator operators as to him shall seem necessary not exceeding fifteen (15), to properly operate the elevators in the Capitol building and in the new Land Office building and to properly keep clean and in order said buildings, and to guard the same by day and by night; each such person so employed by such Superintendent shall receive not exceeding fifty (\$50) dollars per month.

Signed—Pope, Henderson of McLennan, Carpenter of Dallas, Purl.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—57.

| | |
|-----------------|-----------|
| Bell. | Covey. |
| Bobbitt. | Culp. |
| Burmeister. | Dielmann. |
| Cable. | Dinkle. |
| Carson. | Dunlap. |
| Carter of Hays. | Durham. |
| Chitwood. | Edwards. |
| Coffee. | Faubion. |

| | |
|---------------|---------------------|
| Frnka. | Pate. |
| Fugler. | Pool. |
| Gipson. | Potter. |
| Greer. | Quaid. |
| Harrington. | Robinson. |
| Henderson | Russell |
| of Marion. | of Callahan. |
| Hendricks. | Russell of Trinity. |
| Jennings. | Sackett. |
| Kemble. | Sanford. |
| Lackey. | Satterwhite. |
| Lane. | Shearer. |
| LeStourgeon. | Shires. |
| Lewis. | Stewart |
| McDonald. | of Galveston. |
| McFarlane. | Stewart of Jasper. |
| McKean. | Sweet. |
| McNatt. | Teer. |
| Mathes. | Thrasher. |
| Merritt. | Williamson. |
| Moore. | Wilmons. |
| Morgan | Young. |
| of Robertson. | |

Nays—49.

| | |
|---------------|-------------|
| Abney. | McBride. |
| Amaler. | McDaniel. |
| Arnold. | Martin. |
| Barker. | Maxwell. |
| Barrett. | Melson. |
| Bryant. | Miller. |
| Carpenter | Patman. |
| of Dallas. | Perdue. |
| Carpenter | Pinkston. |
| of Matagorda. | Pope. |
| Cowen. | Quinn. |
| Crawford. | Rice. |
| Davenport. | Rogers. |
| Davis. | Rowland. |
| DeBerry. | Sparkman. |
| Dodd. | Stell. |
| Driggers. | Stevens. |
| Duffey. | Stewart |
| Fields. | of Edwards. |
| Henderson | Stroder. |
| of McLennan. | Thompson. |
| Houston. | Vaughan. |
| Howeth. | Wallace. |
| Jacks. | Wells. |
| Laird. | Westbrook. |
| LeMaster. | Wessels. |
| Looney. | |

Absent.

| | |
|------------------|-------------|
| Avis. | Hardin |
| Baker of Milam. | of Kaufman. |
| Baker of Orange. | Harris. |
| Baldwin. | Hughes. |
| Beasley. | Hull. |
| Bird. | Irwin. |
| Bonham. | Johnson. |
| Collins. | Jones. |
| Downs. | Loftin. |
| Dunn. | Montgomery. |
| Finlay. | Morgan |
| Green. | of Liberty. |
| Hardin of Erath. | Patterson. |

| | |
|--------------------|-------------|
| Price. | Stiernberg. |
| Purl. | Strickland. |
| Simpson. | Turner. |
| Smith. | Wilson. |
| Stewart of Reeves. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Pope offered the following amendment to the amendment:

Amend the amendment by striking out the following language, to wit: "Provided further that it shall be the duty of the heads of the departments to transfer any employe of his office to any desk or place within his department when necessary to perform the duties of the department and proper dispatch of business."

As said language appears on pages 3, 4, 6, 7, 9, 11, 13, 15, 17, 20, 22, 27, 30, 32, 33, 34, 35, 36, 37, 40, 42, 44, 46, 48, 51 and 54; and insert between lines 35 and 36, page 53, the following: "That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular department; and provided further, that if any amount herein fixed for any particular purpose be not used for such particular purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury; provided that this language shall not be construed to prevent promotions or the transfer of one employe from the position for which employed, having affixed thereto one salary, to another position having affixed thereto a different salary."

Mr. Lackey moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the previous question, yeas and nays were demanded.

The motion on the previous question was lost by the following vote:

Yeas—54.

| | |
|------------------|--------------------|
| Barrett. | LeMaster. |
| Bell. | LeSturgeon. |
| Bobbitt. | Lewis. |
| Bryant. | McDonald. |
| Burmeister. | McKean. |
| Carpenter | McNatt. |
| of Matagorda. | Mathes. |
| Carson. | Montgomery. |
| Carter of Hays. | Moore. |
| Chitwood. | Morgan |
| Collins. | of Robertson. |
| Covey. | Pate. |
| Dielmann. | Pool. |
| Dinkle. | Potter. |
| Durham. | Quaid. |
| Edwards. | Sackett. |
| Faubion. | Sanford. |
| Fugler. | Satterwhite. |
| Hardin of Erath. | Shearer. |
| Harrington. | Shires. |
| Harris. | Smith. |
| Henderson | Stewart of Reeves. |
| of Marion. | Strickland. |
| Hendricks. | Sweet. |
| Jacks. | Teer. |
| Jennings. | Westbrook. |
| Jones. | Williamson. |
| Lackey. | Wilmans. |
| Lane. | |

Nays—55.

| | |
|--------------|---------------------|
| Abney. | Morgan |
| Amsler. | of Liberty. |
| Barker. | Patman. |
| Bird. | Perdue. |
| Cable. | Pinkston. |
| Carpenter | Pope. |
| of Dallas. | Price. |
| Cowen. | Quinn. |
| Culp. | Rice. |
| Davis. | Robinson. |
| DeBerry. | Rogers. |
| Dodd. | Rowland. |
| Downs. | Russell |
| Driggers. | of Callahan. |
| Duffey. | Russell of Trinity. |
| Fields. | Sparkman. |
| Greer. | Stell. |
| Henderson | Stevens. |
| of McLennan. | Stewart |
| Houston. | of Edwards. |
| Howeth. | Stewart |
| Kemble. | of Galveston. |
| Laird. | Stewart of Jasper. |
| Looney. | Stroder. |
| McBride. | Thompson. |
| McDaniel. | Thrasher. |
| McFarlane. | Turner. |
| Martin. | Vaughan. |
| Maxwell. | Wells. |
| Merritt. | Wessels. |
| Miller. | Wilson. |

Present—Not Voting.

Young.

Absent.

| | |
|------------------|-------------|
| Arnold. | Green. |
| Avis. | Hardin |
| Baker of Milam. | of Kaufman. |
| Baker of Orange. | Hughes. |
| Baldwin. | Hull. |
| Beasley. | Irwin. |
| Bonham. | Johnson. |
| Coffee. | Loftin. |
| Crawford. | Melson. |
| Davenport. | Patterson. |
| Dunlap. | Purl. |
| Dunn. | Simpson. |
| Finlay. | Stiernberg. |
| Frnka. | Wallace. |
| Gipson. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Quaid moved to table the amendment by Mr. Pope.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—56.

| | |
|------------------|---------------------|
| Baker of Milam. | McNatt. |
| Barrett. | Martin. |
| Bell. | Mathes. |
| Bobbitt. | Moore. |
| Burmeister. | Morgan |
| Carter of Hays. | of Liberty. |
| Chitwood. | Morgan |
| Collins. | of Robertson. |
| Covey. | Patterson. |
| Culp. | Pinkston. |
| Dielmann. | Pool. |
| Dinkle. | Potter. |
| Durham. | Purl. |
| Edwards. | Quaid. |
| Faubion. | Robinson. |
| Fugler. | Russell |
| Hardin of Erath. | of Callahan. |
| Harrington. | Russell of Trinity. |
| Harris. | Sackett. |
| Henderson | Sanford. |
| of Marion. | Satterwhite. |
| Hendricks. | Shires. |
| Jacks. | Smith. |
| Jennings. | Stewart of Reeves. |
| Jones. | Strickland. |
| Kemble. | Sweet. |
| Lane. | Thrasher. |
| LeSturgeon. | Wallace. |
| Lewis. | Williamson. |
| McDonald. | Young. |
| McKean. | |

Nays—51.

| | |
|--------|---------|
| Abney. | Amsler. |
|--------|---------|

| | |
|---------------|--------------------|
| Arnold. | LeMaster. |
| Avis. | Looney. |
| Barker. | McBride. |
| Bryant. | McDaniel. |
| Cable. | McFarlane. |
| Carpenter | Maxwell. |
| of Dallas. | Miller. |
| Carpenter | Pate. |
| of Matagorda. | Patman. |
| Carson. | Perdue. |
| Cowen. | Pope. |
| Davenport. | Quinn. |
| Davis. | Rice. |
| DeBerry. | Rogers. |
| Dodd. | Rowland. |
| Downs. | Sparkman. |
| Driggers. | Stell. |
| Duffey. | Stewart |
| Fields. | of Edwards. |
| Frnka. | Stewart of Jasper. |
| Greer. | Stroder. |
| Henderson | Thompson. |
| of McLennan. | Vaughan. |
| Houston. | Wells. |
| Howeth. | Westbrook. |
| Laird. | Wessels. |

Present—Not Voting.

| | |
|-----------|---------------|
| Bird. | Stewart |
| Crawford. | of Galveston. |
| | Wilson. |

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Johnson. |
| Baldwin. | Lackey. |
| Beasley. | Loftin. |
| Bonham. | Melson. |
| Coffee. | Merritt. |
| Dunlap. | Montgomery. |
| Dunn. | Price. |
| Finlay. | Shearer. |
| Gipson. | Simpson. |
| Green. | Stevens. |
| Hardin | Stiernberg. |
| of Kaufman. | Teer. |
| Hughes. | Turner. |
| Hull. | Wilmans. |
| Irwin. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Pope offered the following amendment to the amendment:

Amend the amendment by striking out line 37, and by striking out the word "eleven" in line 38, page 7, and insert in lieu thereof the word "seven"; and by striking out the figures "\$39,600" in each column in said line 38, page 7, and insert in each column the figures "\$28,000"; and by striking out the word

"ten" in line 5, page 8, and insert in lieu thereof the following: "eight, one of whom shall act as chief clerk"; and by striking out the figures "\$15,000" in each column and insert in lieu thereof in each column the figures "\$12,000."

Mr. Quinn moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—68.

| | |
|------------------|---------------------|
| Amsler. | Martin. |
| Baker of Milam. | Mathes. |
| Bell. | Maxwell. |
| Bird. | Miller. |
| Bobbitt. | Montgomery. |
| Burmeister. | Moore. |
| Cable. | Morgan |
| Carpenter | of Liberty. |
| of Matagorda. | Morgan |
| Carson. | of Robertson. |
| Carter of Hays. | Pate. |
| Chitwood. | Pinkston. |
| Collins. | Pool. |
| Cowen. | Potter. |
| Culp. | Price. |
| Downs. | Purl. |
| Durham. | Quaid. |
| Edwards. | Quinn. |
| Faubion. | Robinson. |
| Fields. | Russell of Trinity. |
| Frnka. | Sackett. |
| Fugler. | Sanford. |
| Hardin of Erath. | Satterwhite. |
| Harrington. | Smith. |
| Harris. | Sparkman. |
| Henderson | Stewart |
| of Marion. | of Edwards. |
| Hendricks. | Stewart of Reeves. |
| Jacks. | Strickland. |
| Jennings. | Sweet. |
| Jones. | Teer. |
| Kemble. | Thrasher. |
| Lane. | Williamson. |
| Lewis. | Wilmans. |
| McDonald. | Wilson. |
| McKear. | Young. |
| McNatt. | |

Nays—38.

| | |
|--------------|--------------|
| Abney. | Houston. |
| Arnold. | Laird. |
| Avis. | LeMaster. |
| Barker. | LeStourgeon. |
| Crawford. | Looney. |
| Davenport. | McDaniel. |
| Davis. | McFarlane. |
| DeBerry. | Melson. |
| Dielmann. | Merritt. |
| Dodd. | Perdue. |
| Driggers. | Pope. |
| Duffey. | Rice. |
| Greer. | Rogers. |
| Henderson | Rowland. |
| of McLennan. | Shearer. |

Stell.
Stewart
of Galveston.
Stewart of Jasper.
Stroder.

Thompson.
Vaughan.
Wells.
Westbrook.
Wessels.

Absent.

Baker of Orange.
Baldwin.
Barrett.
Beasley.
Bonham.
Bryant.
Carpenter
of Dallas.
Coffee.
Covey.
Dinkle.
Dunlap.
Dunn.
Finlay.
Gipson.
Green.
Hardin
of Kaufman.
Howeth.

Hughes.
Hull.
Irwin.
Johnson.
Lackey.
Loftin.
McBride.
Patman.
Patterson.
Russell
of Callahan.
Shires.
Simpson.
Stevens.
Stiernberg.
Turner.
Wallace.
Winfree.

Absent—Excused.

Atkinson.
Blount.
Carter of Coke.
Lamb.

Lusk.
Merriman.
Storey.

Mr. Pope offered the following amendment to the amendment:

Amend the amendment by striking out lines 27 to 40, page 9; lines 1 to 40, page 10; and lines 1 to 93, page 11.

Signed—Pope, Carpenter of Dallas, Henderson of McLennan.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—57.

Arnold.
Bell.
Bobbitt.
Bryant.
Burmeister.
Carson.
Chitwood.
Coffee.
Covey.
Dinkle.
Dunlap.
Durham.
Edwards.
Finlay.
Frnka.
Fugler.
Hardin of Erath.

Harrington.
Harris.
Henderson
of Marion.
Hendricks.
Jennings.
Jones.
Kemble.
Lackey.
Lane.
LeSturgeon.
McDonald.
McNatt.
Martin.
Mathes.
Merritt.
Montgomery.

Moore.
Morgan
of Robertson.
Patterson.
Pinkston.
Potter.
Price.
Quaid.
Robinson.
Russell
of Callahan.
Russell of Trinity.
Sackett.

Sanford.
Satterwhite.
Shearer.
Shires.
Sparkman.
Stewart of Reeves.
Strickland.
Sweet.
Thrasher.
Wilmans.
Wilson.
Young.

Nays—50.

Abney.
Amsler.
Avis.
Barker.
Bird.
Bonham.
Cable.
Carpenter
of Dallas.
Carter of Hays.
Collins.
Davenport.
Davis.
DeBerry.
Dodd.
Downs.
Driggers.
Fields.
Gipson.
Greer.
Henderson
of McLennan.
Houston.
Howeth.
Jacks.
Laird.
LeMaster.
Loftin.

Looney.
McBride.
McDaniel.
McFarlane.
Perdue.
Pool.
Pope.
Quinn.
Rice.
Rogers.
Rowland.
Stell.
Stevens.
Stewart
of Edwards.
Stewart
of Galveston.
Stewart of Jasper.
Stroder.
Thompson.
Turner.
Vaughan.
Wallace.
Wells.
Westbrook.
Wessels.
Williamson.

Absent.

Baker of Milam.
Baker of Orange.
Baldwin.
Barrett.
Beasley.
Carpenter
of Matagorda.
Cowen.
Crawford.
Culp.
Dielmann.
Duffey.
Dunn.
Faubion.
Green.
Hardin
of Kaufman.
Hughes.

Hull.
Irwin.
Johnson.
Lewis.
McKean.
Maxwell.
Melson.
Miller.
Morgan
of Liberty.
Pate.
Patman.
Purl.
Simpson.
Smith.
Stiernberg.
Teer.
Winfree.

Absent—Excused.

Atkinson.
Blount.

Carter of Coke.
Lamb.

Lusk.
Merriman.

Storey.

Mr. Pope offered the following amendment to the amendment:

Amend the amendment by striking out lines 24 to 40, page 42; lines 1 to 40, page 43; and lines 1 to 12, page 44.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—68.

| | |
|------------------|---------------------|
| Avis. | Maxwell. |
| Bell. | Merritt. |
| Bird. | Miller. |
| Bobbitt. | Moore. |
| Bonham. | Morgan |
| Bryant. | of Robertson. |
| Burmeister. | Patman. |
| Cable. | Pool. |
| Carson. | Potter. |
| Chitwood. | Price. |
| Coffee. | Quaid. |
| Collins. | Quinn. |
| Covey. | Rice. |
| Davenport. | Robinson. |
| DeBerry. | Rowland. |
| Dinkle. | Russell |
| Durham. | of Callahan. |
| Edwards. | Russell of Trinity. |
| Finlay. | Sackett. |
| Frnka. | Sanford. |
| Hardin of Erath. | Satterwhite. |
| Harrington. | Shearer. |
| Harris. | Shires. |
| Henderson | Sparkman. |
| of Marion. | Stewart |
| Howeth. | of Galveston. |
| Jennings. | Stewart of Reeves. |
| Jones. | Strickland. |
| Kemble. | Sweet. |
| Lackey. | Thompson. |
| Lane. | Thrasher. |
| LeStourgeon. | Westbrook. |
| McBride. | Williamson. |
| McDonald. | Wilmans. |
| McNatt. | Wilson. |
| Martin. | Young. |
| Mathes. | |

Nays—37.

| | |
|-----------------|--------------|
| Abney. | Dodd. |
| Amsler. | Downs. |
| Arnold. | Duffey. |
| Barker. | Greer. |
| Carpenter | Henderson |
| of Dallas. | of McLennan. |
| Carter of Hays. | Hendricks. |
| Cowen. | Houston. |
| Crawford. | Jacks. |
| Davis. | Laird. |

| | |
|-------------|--------------------|
| LeMaster. | Stevens. |
| Looney. | Stewart |
| McDaniel. | of Edwards. |
| McFarlane. | Stewart of Jasper. |
| Montgomery. | Stroder. |
| Morgan | Turner. |
| of Liberty. | Vaughan. |
| Perdue. | Wallace. |
| Pinkston. | Wells. |
| Pope. | Wessels. |
| Stell. | |

Absent.

| | |
|------------------|-------------|
| Baker of Milam. | Hughes. |
| Baker of Orange. | Hull. |
| Baldwin. | Irwin. |
| Barrett. | Johnson. |
| Beasley. | Lewis. |
| Carpenter | Loftin. |
| of Matagorda. | McKean. |
| Culp. | Melson. |
| Dielmann. | Pate. |
| Driggers. | Patterson. |
| Dunlap. | Purl. |
| Dunh. | Rogers. |
| Faubion. | Simpson. |
| Fields. | Smith. |
| Fugler. | Stiernberg. |
| Gipson. | Teer. |
| Green. | Winfree. |
| Hardin | |
| of Kaufman. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Lackey moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the previous question, yeas and nays were demanded.

The previous question was ordered by the following vote:

Yeas—67.

| | |
|-----------------|------------------|
| Amsler. | Duffey. |
| Bell. | Dunlap. |
| Bobbitt. | Durham. |
| Bryant. | Edwards. |
| Burmeister. | Finlay. |
| Cable. | Frnka. |
| Carson. | Fugler. |
| Carter of Hays. | Hardin of Erath. |
| Chitwood. | Harrington. |
| Coffee. | Harris. |
| Collins. | Henderson |
| Covey. | of Marion. |
| Cowen. | Hendricks. |
| Davenport. | Jacks. |
| Dielmann. | Jennings. |
| Dinkle. | Jones. |

| | |
|---------------|---------------------|
| Kemble. | Quinn. |
| Lackey. | Robinson. |
| Lane. | Russell |
| LeSturgeon. | of Callahan. |
| Lewis. | Russell of Trinity. |
| McBride. | Sackett. |
| McDonald. | Satterwhite. |
| McNatt. | Shearer. |
| Martin. | Shires. |
| Mathes. | Sparkman. |
| Maxwell. | Stewart |
| Merritt. | of Galveston. |
| Montgomery. | Stewart of Reeves. |
| Moore. | Strickland. |
| Morgan | Stroder. |
| of Robertson. | Sweet. |
| Patman. | Thompson. |
| Pool. | Thrasher. |
| Potter. | Wallace. |
| Price. | Westbrook. |
| Purl. | Williamson. |
| Quaid. | |

Nays—39.

| | |
|--------------|--------------------|
| Abney. | McFarlane. |
| Arnold. | Melson. |
| Avis. | Miller. |
| Barker. | Morgan |
| Bird. | of Liberty. |
| Bonham. | Perdue. |
| Carpenter | Pinkston. |
| of Dallas. | Pope. |
| Crawford. | Rice. |
| Davis. | Rogers. |
| DeBerry. | Rowland. |
| Dodd. | Sanford. |
| Downs. | Stell. |
| Greer. | Stewart |
| Henderson | of Edwards. |
| of McLennan. | Stewart of Jasper. |
| Houston. | Turner. |
| Laird. | Vaughan. |
| LeMaster. | Wells. |
| Looney. | Wessels. |
| McDaniel. | Wilmans. |

Present—Not Voting.

Young.

Absent.

| | |
|------------------|-------------|
| Baker of Milam. | Howeth. |
| Baker of Orange. | Hughes. |
| Baldwin. | Hull. |
| Barrett. | Irwin. |
| Beasley. | Johnson. |
| Carpenter | Loftin. |
| of Matagorda. | McKean. |
| Culp. | Pate. |
| Driggers. | Patterson. |
| Dunn. | Simpson. |
| Faubion. | Smith. |
| Fields. | Stevens. |
| Gipson. | Stiernberg. |
| Green. | Teer. |
| Hardin | Wilson. |
| of Kaufman. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Pope raised several points of order on consideration of the amendment by Mr. Quaid on the ground that certain parts of the amendment are legislative in their nature.

The Speaker overruled the points of order.

Mr. Quinn moved to reconsider the vote by which the previous question was ordered.

Mr. Quaid moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—64.

| | |
|------------------|---------------------|
| Amsler. | McDonald. |
| Baldwin. | McKean. |
| Barrett. | McNatt. |
| Bell. | Martin. |
| Bobbitt. | Maxwell. |
| Bryant. | Moore. |
| Burmeister. | Morgan |
| Cable. | of Robertson. |
| Carson. | Patterson. |
| Chitwood. | Pool. |
| Coffee. | Potter. |
| Collins. | Price. |
| Covey. | Purl. |
| Dinkle. | Quaid. |
| Durham. | Robinson. |
| Edwards. | Russell |
| Fugler. | of Callahan. |
| Hardin of Erath. | Russell of Trinity. |
| Harrington. | Sackett. |
| Harris. | Sanford. |
| Henderson | Satterwhite. |
| of Marion. | Shearer. |
| Henderson | Shires. |
| of McLennan. | Smith. |
| Hendricks. | Stewart |
| Jacks. | of Galveston. |
| Jennings. | Stewart of Reeves. |
| Jones. | Strickland. |
| Kemble. | Sweet. |
| Lackey. | Teer. |
| Lane. | Thompson. |
| LeMaster. | Thrasher. |
| LeSturgeon. | Wallace. |
| Lewis. | Westbrook. |
| McBride. | Williamson. |

Nays—55.

| | |
|---------|-----------------|
| Abney. | Baker of Milam. |
| Arnold. | Barker. |
| Avis. | Bird. |

| | |
|-----------------|-------------|
| Bonham. | McFarlane. |
| Carpenter | Melson. |
| of Dallas. | Merritt. |
| Carpenter | Miller. |
| of Matagorda. | Morgan |
| Carter of Hays. | of Liberty. |
| Cowen. | Patman. |
| Crawford. | Perdue. |
| Culp. | Pinkston. |
| Davenport. | Pope. |
| Davis. | Quinn. |
| DeBerry. | Rice. |
| Dodd. | Rogers. |
| Downs. | Rowland. |
| Driggers. | Sparkman. |
| Duffey. | Stell. |
| Fields. | Stevens. |
| Finlay. | Stewart |
| Frnka. | of Edwards. |
| Greer. | Stroder. |
| Houston. | Turner. |
| Howeth. | Vaughan. |
| Johnson. | Wells. |
| Laird. | Wessels. |
| Loftin. | Wilmans. |
| Looney. | Wilson. |
| McDaniel. | |

Present—Not Voting.

Young.

Absent.

| | |
|------------------|--------------------|
| Baker of Orange. | Hughes. |
| Beasley. | Hull. |
| Dielmann. | Irwin. |
| Dunlap. | Mathes. |
| Dunn. | Montgomery. |
| Faubion. | Pate. |
| Gipson. | Simpson. |
| Green. | Stewart of Jasper. |
| Hardin | Stiernberg. |
| of Kaufman. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Question then recurring on the amendment by Mr. Quaid as amended, it was adopted.

Senate bill No. 32 was then passed to third reading by the following vote:

Yeas—87.

| | |
|-----------------|-----------------|
| Amsler. | Bryant. |
| Arnold. | Burmeister. |
| Baker of Milam. | Carpenter |
| Baldwin. | of Matagorda. |
| Barrett. | Carson. |
| Bell. | Carter of Hays. |
| Bird. | Chitwood. |
| Bobbitt. | Coffee. |
| Bonham. | Collins. |

| | |
|------------------|---------------------|
| Covey. | Morgan |
| Cowen. | of Liberty. |
| Culp. | Morgan |
| DeBerry. | of Robertson. |
| Dinkle. | Patterson. |
| Duffey. | Pool. |
| Dunlap. | Potter. |
| Durham. | Price. |
| Edwards. | Purl. |
| Frnka. | Quaid. |
| Fugler. | Quinn. |
| Gipson. | Rice. |
| Greer. | Robinson. |
| Hardin of Erath. | Rogers. |
| Harrington. | Russell |
| Harris. | of Callahan. |
| Henderson | Russell of Trinity. |
| of Marion. | Sackett. |
| Henderson | Sanford. |
| of McLennan. | Satterwhite. |
| Hendricks. | Shearer. |
| Jacks. | Shires. |
| Jennings. | Smith. |
| Jones. | Stewart |
| Kemble. | of Galveston. |
| Lackey. | Stewart of Jasper. |
| Lane. | Stewart of Reeves. |
| LeMaster. | Strickland. |
| LeSturgeon. | Sweet. |
| Lewis. | Teer. |
| McBride. | Thrasher. |
| McDonald. | Turner. |
| McKean. | Vaughan. |
| McNatt. | Wallace. |
| Martin. | Westbrook. |
| Maxwell. | Williamson. |
| Miller. | Wilmans. |
| Moore. | Wilson. |
| | Young. |

Nays—29.

| | |
|------------|-------------|
| Abney. | Looney. |
| Avis. | McDaniel. |
| Barker. | McFarlane. |
| Cable. | Melson. |
| Carpenter | Merritt. |
| of Dallas. | Patman. |
| Crawford. | Perdue. |
| Davenport. | Pinkston. |
| Davis. | Pope. |
| Dodd. | Rowland. |
| Downs. | Stell. |
| Fields. | Stewart |
| Finlay. | of Edwards. |
| Houston. | Stroder. |
| Howeth. | Thompson. |
| Laird. | Wessels. |
| Loftin. | |

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Green. |
| Beasley. | Hardin |
| Dielmann. | of Kaufman. |
| Driggers. | Hughes. |
| Dunn. | Hull. |
| Faubion. | Irwin. |

| | |
|-------------|-------------|
| Johnson. | Sparkman. |
| Mathes. | Stevens. |
| Montgomery. | Stiernberg. |
| Pate. | Wells. |
| Simpson. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

SENATE BILL NO. 32 ON THIRD READING.

Mr. Quaid moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

| | |
|------------------|---------------------|
| Mr. Speaker. | Henderson |
| Amisler. | of McLennan. |
| Baker of Milam. | Hendricks. |
| Baldwin. | Jacks. |
| Barker. | Jennings. |
| Barrett. | Jones. |
| Bell. | Kemble. |
| Bobbitt. | Lackey. |
| Bonham. | Lane. |
| Bryant. | LeMaster. |
| Burmeister. | LeSturgeon. |
| Cable. | Lewis. |
| Carpenter | McBride. |
| of Dallas. | McDonald. |
| Carpenter | McKean. |
| of Matagorda. | McNatt. |
| Carson. | Martin. |
| Carter of Hays. | Mathes. |
| Chitwood. | Maxwell. |
| Coffee. | Merritt. |
| Collins. | Moore. |
| Covey. | Morgan |
| Cowen. | of Liberty. |
| Crawford. | Morgan |
| DeBerry. | of Robertson. |
| Dielmann. | Patman. |
| Dinkle. | Patterson. |
| Driggers. | Perdue. |
| Duffey. | Pool. |
| Dunlap. | Potter. |
| Durham. | Price. |
| Edwards. | Purl. |
| Finlay. | Quaid. |
| Frnka. | Quinn. |
| Fugler. | Rice. |
| Gipson. | Robinson. |
| Greer. | Rogers. |
| Hardin of Erath. | Rowland. |
| Harrington. | Russell |
| Harris. | of Callahan. |
| Henderson | Russell of Trinity. |
| of Marion. | Sackett. |

| | |
|--------------------|-------------|
| Sanford. | Sweet. |
| Satterwhite. | Teer. |
| Shearer. | Thrasher. |
| Shires. | Turner. |
| Smith. | Vaughan. |
| Sparkman. | Wallace. |
| Stewart | Wells. |
| of Galveston. | Westbrook. |
| Stewart of Jasper. | Williamson. |
| Stewart of Reeves. | Wilmans. |
| Strickland. | Wilson. |
| Stroder. | Young. |

Nays—25.

| | |
|------------|-------------|
| Abney. | Loftin. |
| Arnold. | Looney. |
| Avis. | McDaniel. |
| Bird. | McFarlane. |
| Culp. | Melson. |
| Davenport. | Miller. |
| Davis. | Pinkston. |
| Dodd. | Pope. |
| Downs. | Stell. |
| Fields. | Stewart |
| Houston. | of Edwards. |
| Howeth. | Thompson. |
| Laird. | Wessels. |

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Irwin. |
| Beasley. | Johnson. |
| Dunn. | Montgomery. |
| Faubion. | Pate. |
| Green. | Simpson. |
| Hardin | Stevens. |
| of Kaufman. | Stiernberg. |
| Hughes. | Winfree. |
| Hull. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

The Speaker then laid Senate bill No. 32 before the House, on its third reading and final passage.

The bill was read third time.

Mr. Pope offered the following amendment to the bill:

Amend the amendment by striking out lines 1 to 40, page 53, and lines 1 to 15, page 54; and by striking out line 40, page 35, and lines 1 to 27, page 36; and by striking out lines 1 to 39, page 35; and by striking out lines 28 to 40, page 36; lines 1 to 40, page 37; line 1, page 38; and by striking out lines 38 to 40, page 54, and lines 1 to 20, page 55.

Mr. Melson called for a division of the amendment.

Mr. Quaid moved to table division No. 1 of the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—60.

| | |
|------------------|---------------------|
| Abney. | McBride. |
| Amsler. | McDonald. |
| Avis. | McKean. |
| Baldwin. | McNatt. |
| Barrett. | Martin. |
| Bobbitt. | Mathes. |
| Bryant. | Maxwell. |
| Burmeister. | Moore. |
| Cable. | Pate. |
| Carson. | Pool. |
| Chitwood. | Potter. |
| Collins. | Purl. |
| Covey. | Quaid. |
| Crawford. | Russell |
| Dinkle. | of Callahan. |
| Dunlap. | Russell of Trinity. |
| Durham. | Sackett. |
| Edwards. | Sanford. |
| Fugler. | Satterwhite. |
| Gipson. | Shearer. |
| Hardin of Erath. | Smith. |
| Harrington. | Sparkman. |
| Henderson | Stewart |
| of Marion. | of Galveston. |
| Jennings. | Stewart of Reeves. |
| Jones. | Strickland. |
| Kemble. | Sweet. |
| Lackey. | Teer. |
| Lane. | Thrasher. |
| LeMaster. | Westbrook. |
| LeStourgeon. | Wilson. |
| Lewis. | Young. |
| Loftin. | |

Nays—46.

| | |
|-----------------|--------------------|
| Arnold. | Laird. |
| Barker. | Looney. |
| Bird. | McDaniel. |
| Carpenter | McFarlane. |
| of Dallas. | Melson. |
| Carpenter | Merritt. |
| of Matagorda. | Miller. |
| Carter of Hays. | Perdue. |
| Cowen. | Pinkston. |
| Culp. | Pope. |
| Davis. | Rice. |
| DeBerry. | Robinson. |
| Dielmann. | Rogers. |
| Dodd. | Rowland. |
| Downs. | Stell. |
| Driggers. | Stevens. |
| Duffey. | Stewart |
| Fields. | of Edwards. |
| Finlay. | Stewart of Jasper. |
| Frnka. | Stroder. |
| Greer. | Turner. |
| Henderson | Vaughan. |
| of McLennan. | Wells. |
| Houston. | Wessels. |
| Howeth. | Williamson. |
| Jacks. | |

Present—Not Voting.

Quinn.

Absent.

| | |
|------------------|---------------|
| Baker of Milam. | Johnson. |
| Baker of Orange. | Montgomery. |
| Beasley. | Morgan |
| Bell. | of Liberty. |
| Bonham. | Morgan |
| Coffee. | of Robertson. |
| Davenport. | Patman. |
| Dunn. | Patterson. |
| Faubion. | Price. |
| Green. | Shires. |
| Hardin | Simpson. |
| of Kaufman. | Stiernberg. |
| Hendricks. | Thompson. |
| Hughes. | Wallace. |
| Hull. | Wilmans. |
| Irwin. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Blount. | Lusk. |
| Carter of Coke. | Merriman. |
| Lamb. | Storey. |

Paired.

Mr. Harris (present), who would vote "yea," with Mr. Atkinson (absent), who would vote "nay."

Mr. Quaid moved to table division No. 2 of the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—47.

| | |
|------------------|---------------------|
| Baldwin. | McNatt. |
| Barrett. | Maxwell. |
| Bell. | Morgan |
| Bobbitt. | of Robertson. |
| Burmeister. | Purl. |
| Chitwood. | Quaid. |
| Covey. | Robinson. |
| Dinkle. | Russell |
| Dunlap. | of Callahan. |
| Durham. | Russell of Trinity. |
| Edwards. | Sackett. |
| Fugler. | Sanford. |
| Gipson. | Satterwhite. |
| Hardin of Erath. | Shearer. |
| Harrington. | Shires. |
| Henderson | Smith. |
| of Marion. | Stewart |
| Hull. | of Galveston. |
| Jennings. | Stewart of Reeves. |
| Jones. | Strickland. |
| Kemble. | Sweet. |
| Lackey. | Teer. |
| Lane. | Thrasher. |
| LeStourgeon. | Wilson. |
| McBride. | Young. |
| McDonald. | |

Nays—56.

| | |
|-----------------|--------------------|
| Amsler. | Loftin. |
| Arnold. | Looney. |
| Barker. | McDaniel. |
| Bird. | McFarlane. |
| Bryant. | Mathes. |
| Cable. | Melson. |
| Carpenter | Merritt. |
| of Dallas. | Miller. |
| Carpenter | Perdue. |
| of Matagorda. | Pinkston. |
| Carson. | Pope. |
| Carter of Hays. | Price. |
| Cowen. | Rice. |
| Davis. | Rogers. |
| DeBerry. | Rowland. |
| Dielmann. | Sparkman. |
| Dodd. | Stell. |
| Downs. | Stevens. |
| Driggers. | Stewart |
| Duffey. | of Edwards. |
| Fields. | Stewart of Jasper. |
| Finlay. | Stroder. |
| Frnka. | Thompson. |
| Greer. | Turner. |
| Houston. | Vaughan. |
| Howeth. | Wells. |
| Jacks. | Westbrook. |
| Laird. | Wessels. |
| LeMaster. | Williamson. |
| Lewis. | |

Present—Not Voting.

Wilmans.

Absent.

| | |
|------------------|-------------|
| Abney. | Hughes. |
| Avis. | Irwin. |
| Baker of Milam. | Johnson. |
| Baker of Orange. | McKean. |
| Beasley. | Martin. |
| Bonham. | Montgomery. |
| Coffee. | Moore. |
| Collins. | Morgan |
| Crawford. | of Liberty. |
| Culp. | Pate. |
| Davenport. | Patman. |
| Dunn. | Patterson. |
| Faubion. | Pool. |
| Green. | Potter. |
| Hardin | Quinn. |
| of Kaufman. | Simpson. |
| Henderson | Stiernberg. |
| of McLennan. | Wallace. |
| Hendricks. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Blount. | Lusk. |
| Carter of Coke. | Merriman. |
| Lamb. | Storey. |

Paired.

Mr. Harris (present), who would vote "nay," with Mr. Atkinson (absent), who would vote "yea."

Question recurring on division No. 2 of the amendment, yeas and nays were demanded.

The amendment was lost by the following vote, not receiving the necessary two-thirds vote:

Yeas—60.

| | |
|---------------|--------------------|
| Abney. | Laird. |
| Amsler. | LeMaster. |
| Arnold. | Loftin. |
| Avis. | Looney. |
| Barker. | McDaniel. |
| Beasley. | McFarlane. |
| Bird. | Mathes. |
| Bryant. | Melson. |
| Cable. | Merritt. |
| Carpenter | Miller. |
| of Dallas. | Pate. |
| Carpenter | Patman. |
| of Matagorda. | Perdue. |
| Carson. | Pinkston. |
| Collins. | Pool. |
| Crawford. | Pope. |
| Davis. | Purl. |
| DeBerry. | Rice. |
| Dielmann. | Rowland. |
| Dodd. | Simpson. |
| Downs. | Sparkman. |
| Driggers. | Stell. |
| Duffey. | Stevens. |
| Fields. | Stewart |
| Finlay. | of Edwards. |
| Frnka. | Stewart of Jasper. |
| Greer. | Stroder. |
| Henderson | Thompson. |
| of McLennan. | Vaughan. |
| Hendricks. | Wells. |
| Houston. | Westbrook. |
| Howeth. | Wessels. |

Nays—50.

| | |
|------------------|---------------------|
| Baker of Milam. | Lewis. |
| Baldwin. | McBride. |
| Barrett. | McDonald. |
| Bell. | McKean. |
| Burmeister. | McNatt. |
| Chitwood. | Martin. |
| Covey. | Maxwell. |
| Cowen. | Moore. |
| Dunn. | Morgan |
| Durham. | of Robertson. |
| Fugler. | Price. |
| Hardin of Erath. | Quaid. |
| Harrington. | Robinson. |
| Henderson | Russell |
| of Marion. | of Callahan. |
| Irwin. | Russell of Trinity. |
| Jacks. | Sackett. |
| Jennings. | Sanford. |
| Jones. | Satterwhite. |
| Kemble. | Shearer. |
| Lackey. | Shires. |
| Lane. | Smith. |
| LeSturgeon. | |

| | |
|--------------------|-----------|
| Stewart | Thrasher. |
| of Galveston. | Wallace. |
| Stewart of Reeves. | Wilmans. |
| Sweet. | Wilson. |
| Teer. | Young. |

Present—Not Voting.

| | |
|-----------------|-------------|
| Carter of Hays. | Strickland. |
|-----------------|-------------|

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Hughes. |
| Bobbitt. | Hull. |
| Bonham. | Johnson. |
| Coffee. | Montgomery. |
| Culp. | Morgan |
| Davenport. | of Liberty. |
| Dinkle. | Patterson. |
| Dunlap. | Potter. |
| Edwards. | Quinn. |
| Faubion. | Rogers. |
| Gipson. | Stiernberg. |
| Green. | Turner. |
| Hardin | Williamson. |
| of Kaufman. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Blount. | Lusk. |
| Carter of Coke. | Merriman. |
| Lamb. | Storey. |

Paired.

Mr. Harris (present), who would vote "yea," with Mr. Atkinson (absent), who would vote "nay."

Question then recurring on division No. 3, yeas and nays were demanded.

Division No. 3 of the amendment was lost by the following vote:

Yeas—49.

| | |
|-----------------|--------------|
| Abney. | Henderson |
| Amsler. | of McLennan. |
| Arnold. | Hendricks. |
| Avis. | Houston. |
| Barker. | Jacks. |
| Bryant. | Laird. |
| Cable. | LeMaster. |
| Carpenter | Loftin. |
| of Dallas. | Looney. |
| Carpenter | McDaniel. |
| of Matagorda. | McFarlane. |
| Carson. | Mathes. |
| Carter of Hays. | Melson. |
| Crawford. | Merritt. |
| Davis. | Perdue. |
| Dodd. | Pinkston. |
| Downs. | Pope. |
| Driggers. | Rice. |
| Duffey. | Rogers. |
| Fields. | Rowland. |
| Finlay. | Simpson. |
| Greer. | Sparkman. |

| | |
|--------------------|------------|
| Stell. | Stroder. |
| Stevens. | Thompson. |
| Stewart | Westbrook. |
| of Edwards. | Wessels. |
| Stewart of Jasper. | |

Nays—54.

| | |
|------------------|---------------------|
| Baker of Milam. | McNatt. |
| Barrett. | Martin. |
| Bell. | Maxwell. |
| Bobbitt. | Moore. |
| Burmeister. | Morgan |
| Chitwood. | of Robertson. |
| Coffee. | Pate. |
| Collins. | Patman. |
| Covey. | Pool. |
| Cowen. | Potter. |
| Culp. | Purl. |
| DeBerry. | Quaid. |
| Dielmann. | Russell |
| Dunlap. | of Callahan. |
| Durham. | Russell of Trinity. |
| Faubion. | Sackett. |
| Frnka. | Sanford. |
| Fugler. | Shearer. |
| Hardin of Erath. | Shires. |
| Harrington. | Smith. |
| Henderson | Stewart |
| of Marion. | of Galveston. |
| Irwin. | Stewart of Reeves. |
| Jones. | Strickland. |
| Lane. | Sweet. |
| LeSturgeon. | Teer. |
| Lewis. | Thrasher. |
| McBride. | Wilson. |
| McDonald. | Young. |

Present—Not Voting.

Baldwin.

Absent.

| | |
|------------------|--------------|
| Baker of Orange. | McKean. |
| Beasley. | Miller. |
| Bird. | Montgomery. |
| Bonham. | Morgan |
| Davenport. | of Liberty. |
| Dinkle. | Patterson. |
| Dunn. | Price. |
| Edwards. | Quinn. |
| Gipson. | Robinson. |
| Green. | Satterwhite. |
| Hardin | Stiernberg. |
| of Kaufman. | Turner. |
| Howeth. | Vaughan. |
| Hughes. | Wallace. |
| Hull. | Wells. |
| Jennings. | Williamson. |
| Johnson. | Wilmans. |
| Kemble. | Winfree. |
| Lackey. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Blount. | Lusk. |
| Carter of Coke. | Merriman. |
| Lamb. | Storey. |

Paired.

Mr. Harris (present), who would vote "nay," with Mr. Atkinson (absent), who would vote "yea."

Mr. Quaid moved to table division No. 4 of the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—85.

| | |
|------------------|---------------------|
| Abney. | LeSturgeon. |
| Arnold. | Lewis. |
| Baker of Milam. | Loftin. |
| Baldwin. | Looney. |
| Barker. | McBride. |
| Barrett. | McDonald. |
| Beasley. | McNatt. |
| Bell. | Martin. |
| Bird. | Mathes. |
| Bobbitt. | Maxwell. |
| Bonham. | Merritt. |
| Bryant. | Moore. |
| Burmeister. | Morgan |
| Cable. | of Liberty. |
| Carpenter | Morgan |
| of Dallas. | of Robertson. |
| Carpenter | Pate. |
| of Matagorda. | Pinkston. |
| Carson. | Pool. |
| Carter of Hays. | Potter. |
| Chitwood. | Price. |
| Coffee. | Purl. |
| Collins. | Quaid. |
| Covey. | Rice. |
| Cowen. | Rogers. |
| Culp. | Rowland. |
| DeBerry. | Russell |
| Dielmann. | of Callahan. |
| Downs. | Russell of Trinity. |
| Dunlap. | Sackett. |
| Dunn. | Sanford. |
| Durham. | Shearer. |
| Faubion. | Shires. |
| Fugler. | Smith. |
| Hardin of Erath. | Stevens. |
| Harrington. | Stewart |
| Henderson | of Galveston. |
| of Marion. | Stewart of Jasper. |
| Henderson | Stewart of Reeves. |
| of McLennan. | Strickland. |
| Hendricks. | Sweet. |
| Houston. | Teer. |
| Irwin. | Thrasher. |
| Jacks. | Vaughan. |
| Jennings. | Wallace. |
| Jones. | Wilson. |
| Lane. | Young. |

Nays—22.

| | |
|-----------|-----------|
| Amsler. | Driggers. |
| Crawford. | Duffey. |
| Davis. | Fields. |
| Dodd. | Finlay. |

Frnka.

Greer.

Laird.

LeMaster.

McDaniel.

McFarlane.

Perdue.

Pope.

Stell.

Stewart

of Edwards.

Stroder.

Thompson.

Westbrook.

Wessels.

Present—Not Voting.

Melson.

Absent.

Avis.

Baker of Orange.

Davenport.

Dinkle.

Edwards.

Gipson.

Green.

Hardin

of Kaufman.

Howeth.

Hughes.

Hull.

Johnson.

Kemble.

Lackey.

McKean.

Miller.

Montgomery.

Patman.

Patterson.

Quinn.

Robinson.

Satterwhite.

Simpson.

Sparkman.

Stiernberg.

Turner.

Wells.

Williamson.

Wilmons.

Winfree.

Absent—Excused.

Blount.

Carter of Coke.

Lamb.

Lusk.

Merriman.

Storey.

Paired.

Mr. Harris (present), who would vote "yea," with Mr. Atkinson (absent), who would vote "nay."

Mr. Quaid moved to table division No. 5 of the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—89.

| | |
|-----------------|------------------|
| Abney. | Dinkle. |
| Avis. | Downs. |
| Baker of Milam. | Dunn. |
| Baldwin. | Durham. |
| Barrett. | Faubion. |
| Bell. | Fugler. |
| Bobbitt. | Gipson. |
| Bryant. | Greer. |
| Burmeister. | Hardin of Erath. |
| Cable. | Harrington. |
| Carson. | Henderson |
| Chitwood. | of Marion. |
| Coffee. | Hendricks. |
| Collins. | Howeth. |
| Covey. | Irwin. |
| Culp. | Jacks. |
| DeBerry. | Jones. |
| Dielmann. | LeSturgeon. |

| | |
|---------------|----------------------|
| McBride. | Russell of Callahan. |
| McDonald. | Sackett. |
| McFarlane. | Sanford. |
| McNatt. | Shearer. |
| Martin. | Shires. |
| Maxwell. | Smith. |
| Merritt. | Sparkman. |
| Miller. | Stewart |
| Moore. | of Galveston. |
| Morgan | Stewart of Jasper. |
| of Robertson. | Stewart of Reeves. |
| Patman. | Strickland. |
| Pool. | Sweet. |
| Potter. | Teer. |
| Price. | Thrasher. |
| Purl. | Wallace. |
| Quaid. | Wilson. |
| Rowland. | Young. |

Nays—35.

| | |
|---------------|-------------|
| Amsler. | Looney. |
| Arnold. | McDaniel. |
| Barker. | Melson. |
| Beasley. | Perdue. |
| Bird. | Pinkston. |
| Carpenter | Pope. |
| of Matagorda. | Rice. |
| Cowen. | Rogers. |
| Crawford. | Simpson. |
| Davis. | Stell. |
| Dodd. | Stevens. |
| Driggers. | Stewart |
| Duffey. | of Edwards. |
| Fields. | Stroder. |
| Henderson | Thompson. |
| of McLennan. | Turner. |
| Laird. | Vaughan. |
| Lane. | Westbrook. |
| LeMaster. | Wessels. |
| Lewis. | |

Present—Not Voting.

| | |
|---------|----------|
| Finlay. | Houston. |
|---------|----------|

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Loftin. |
| Bonham. | McKean. |
| Carpenter | Mathes. |
| of Dallas. | Montgomery. |
| Carter of Hays. | Morgan |
| Davenport. | of Liberty. |
| Dunlap. | Pate. |
| Edwards. | Patterson. |
| Frnka. | Quinn. |
| Green. | Robinson. |
| Hardin | Russell of Trinity. |
| of Kaufman. | Satterwhite. |
| Hughes. | Stiernberg. |
| Hull. | Wells. |
| Jennings. | Williamson. |
| Johnson. | Wilmons. |
| Kemble. | Winfree. |
| Lackey. | |

Absent—Excused.

| | |
|---------|-----------------|
| Blount. | Carter of Coke. |
|---------|-----------------|

| | |
|-------|-----------|
| Lamb. | Merriman. |
| Lusk. | Storey. |

Paired.

Mr. Harris (present), who would vote "yea," with Mr. Atkinson (absent), who would vote "nay."

Mr. Culp offered the following amendment to the bill:

Amend amendment to Senate bill No. 32, page 25, by striking out lines 35, 36, 37 and 38, and insert the following: "For maintenance for 20 new county health departments in co-operation with the county at \$1000 each county for first year, \$625 for each county for the second year, and insert \$24,000, as the bill now stands.

The amendment was lost.

Mr. Rogers offered the following amendment to the bill:

Amend the amendment to Senate bill No. 32 by adding a new section to each section and department of said bill: "Providing further no funds herein appropriated shall be used by said employe for traveling or any other expenses only while in actual service."

The amendment was adopted.

Mr. Baldwin offered the following amendment to the bill:

Amend amendment to Senate bill No. 32, page 31, line 32, by striking out the sum of ten thousand (\$10,000) dollars for the years ending August 31, 1942, and August 31, 1925, and insert in lieu thereof the sum of twenty-five thousand (\$25,000) dollars for each year.

Mr. LeSturgeon moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question then recurring on the amendment, it was lost.

Senate bill No. 32 was then finally passed by the following vote:

Yeas—89.

| | |
|-----------------|-----------|
| Mr. Speaker. | Carson. |
| Amsler. | Chitwood. |
| Avis. | Coffee. |
| Baker of Milam. | Collins. |
| Baldwin. | Covey. |
| Barker. | DeBerry. |
| Barrett. | Dielmann. |
| Bird. | Dinkle. |
| Bobbitt. | Downs. |
| Bryant. | Duffey. |
| Burmeister. | Dunlap. |
| Cable. | Dunn. |
| Carpenter | Durham. |
| of Matagorda. | Faubion. |

| | |
|---------------|---------------------|
| Frnka. | Pool. |
| Fugler. | Potter. |
| Gipson. | Price. |
| Greer. | Purl. |
| Harrington. | Quaid. |
| Harris. | Rogers. |
| Henderson | Rowland. |
| of Marion. | Russell |
| Henderson | of Callahan. |
| of McLennan. | Russell of Trinity. |
| Hendricks. | Sackett. |
| Hull. | Sanford. |
| Irwin. | Shearer. |
| Jacks. | Shires. |
| Jennings. | Smith. |
| Jones. | Sparkman. |
| Kemble. | Stell. |
| Lackey. | Stewart |
| Lane. | of Galveston. |
| LeMaster. | Stewart of Jasper. |
| LeStourgeon. | Stewart of Reeves. |
| Lewis. | Strickland. |
| McBride. | Stroder. |
| McDonald. | Sweet. |
| McNatt. | Teer. |
| Martin. | Thrasher. |
| Mathes. | Vaughan. |
| Maxwell. | Wallace. |
| Merritt. | Westbrook. |
| Montgomery. | Williamson. |
| Moore. | Wilmans. |
| Morgan | Wilson. |
| of Robertson. | Young. |
| Patman. | |

Nays—19.

| | |
|------------|------------|
| Abney. | Looney. |
| Beasley. | McFarlane. |
| Carpenter | Melson. |
| of Dallas. | Pate. |
| Dodd. | Perdue. |
| Fields. | Pope. |
| Finlay. | Rice. |
| Houston. | Simpson. |
| Howeth. | Thompson. |
| Laird. | Wessels. |
| Loftin. | |

Present—Not Voting.

Davis.

Absent.

| | |
|------------------|--------------|
| Arnold. | Johnson. |
| Baker of Orange. | McDaniel. |
| Bell. | McKean. |
| Bonham. | Miller. |
| Carter of Hays. | Morgan |
| Cowen. | of Liberty. |
| Crawford. | Patterson. |
| Culp. | Pinkston. |
| Davenport. | Quinn. |
| Driggers. | Robinson. |
| Edwards. | Satterwhite. |
| Green. | Stevens. |
| Hardin of Erath. | Stewart |
| Hardin | of Edwards. |
| of Kaufman. | Stiernberg. |
| Hughes. | Turner. |

Wells.

Winfree.

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Si: I am directed by the Senate to
inform the House that the Senate has
passed

S. B. No. 47, A bill to be entitled
"An Act to amend Article 7012½y, Re-
vised Civil Statutes of the State of
Texas, fixing the compensation of county
tax collectors for the collection of li-
cense fees on motor vehicles, tractors,
and trailers; exempting said fees from
fee bill; repealing all laws in conflict
herewith, and declaring an emergency."

S. B. No. 109, A bill to be entitled
"An Act amending Chapter 19, Local
and Special Laws, passed by the Thirty-
seventh Legislature at its First Called
Session, as amended by Chapter 88, Lo-
cal and Special Laws passed by the
Thirty-eighth Legislature at its Regular
Session, creating the Canton Independ-
ent School District in Van Zandt coun-
ty, Texas; defining its boundaries; pro-
viding for the extension thereof, includ-
ing the present Canton Independent
School District; providing for a board
of trustees in said district; conferring
upon said districts and its board of
trustees all the rights, powers, privi-
leges and duties now conferred and im-
posed by the general laws of Texas upon
independent school districts and the
boards of trustees thereof; providing
that the present board of trustees con-
tinue in office until the expiration of
their respective terms; providing that
the outstanding bonded indebtedness of
each school district included within the
bounds of said district shall remain
chargeable against the territory which
voted the same; providing that the dis-
trict as herein created may assume such
outstanding bonded indebtedness; pro-
viding for the repeal of all laws in con-
flict herewith, and declaring an emer-
gency."

Respectfully,

RICHARD BLALOCK,
Assistant Secretary of the Senate.

MOTION FOR SPECIAL ORDER.

Mr. McFarlane moved that House bill No. 202 be set as a special order for 2:30 o'clock p. m. today.
The motion was lost.

MOTION FOR SPECIAL ORDER.

Mrs. Wilmans moved that House bill No. 202 be set as a special order for 4 o'clock p. m. today.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—44.

| | |
|-----------------|---------------------|
| Abney. | Mathes. |
| Arnold. | Pate. |
| Baker of Milam. | Patman. |
| Barrett. | Perdue. |
| Bird. | Pinkston. |
| Burmeister. | Price. |
| Carpenter | Rogers. |
| of Matagorda. | Russell of Trinity. |
| Carter of Hays. | Sackett. |
| Cowen. | Satterwhite. |
| Davis. | Stell. |
| Dielmann. | Stewart of Jasper. |
| Driggers. | Stroder. |
| Duffey. | Sweet. |
| Fields. | Thompson. |
| Finlay. | Thrasher. |
| Hendricks. | Turner. |
| Lackey. | Wallace. |
| Laird. | Wells. |
| LeMaster. | Wilmans. |
| LeSturgeon. | Wilson. |
| McFarlane. | Young. |
| McKean. | |

Nays—44.

| | |
|------------------|--------------------|
| Amsler. | Lane. |
| Avis. | Loftin. |
| Baldwin. | Looney. |
| Beasley. | McBride. |
| Cable. | McDaniel. |
| Carpenter | McDonald. |
| of Dallas. | McNatt. |
| Carson. | Martin. |
| Covey. | Morgan |
| Dinkle. | of Robertson. |
| Dodd. | Pool. |
| Downs. | Purl. |
| Frnka. | Quaid. |
| Gipson. | Rice. |
| Hardin of Erath. | Rowland. |
| Harrington. | Sanford. |
| Harris. | Shires. |
| Henderson | Smith. |
| of Marion. | Sparkman. |
| Henderson | Stevens. |
| of McLennan. | Stewart of Reeves. |
| Houston. | Strickland. |
| Howeth. | Westbrook. |
| Jacks. | Wessels. |
| Jones. | |

Present—Not Voting.

| | |
|-----------|---------------|
| Barker. | Merritt. |
| Bell. | Miller. |
| Bryant. | Moore. |
| Chitwood. | Pope. |
| DeBerry. | Robinson. |
| Dunlap. | Russell |
| Dunn. | of Callahan. |
| Durham. | Shearer. |
| Jennings. | Stewart |
| Kemble. | of Edwards. |
| Lewis. | Stewart |
| Maxwell. | of Galveston. |
| Melson. | Vaughan. |

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Hughes. |
| Bobbitt. | Hull. |
| Bonham. | Irwin. |
| Coffee. | Johnson. |
| Collins. | Montgomery. |
| Crawford. | Morgan |
| Culp. | of Liberty. |
| Davenport. | Patterson. |
| Edwards. | Potter. |
| Faubion. | Quinn. |
| Fugler. | Simpson. |
| Green. | Stiernberg. |
| Greer. | Teer. |
| Hardin | Williamson. |
| of Kaufman. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 59, A bill to be entitled "An Act creating an Illiteracy Commission for Texas; defining the powers and duties of said commission, and making an appropriation for the work to be carried on under the direction of said commission, and declaring an emergency."

H. B. No. 128, A bill to be entitled "An Act to amend Section 2 of Chapter 146, Special Laws of the Thirty-third Legislature, Regular Session, 1913, relating to the powers and privileges of the Kyle Independent School District, as amended by the Thirty-sixth Legislature, Regular Session, 1919, Chapter 35, Local and Special Laws, and declaring an emergency."

H. B. No. 129, A bill to be entitled "An Act to amend Section 6 of Chapter 19, Special Laws of the Thirty-second Legislature, First Called Session, 1911; relating to the powers and privileges of the Buda Independent School District, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 47, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 109, to the Committee on School Districts.

Senate bill No. 59, to the Committee on Education.

RECESS.

Mr. Lackey moved that the House recess to 1:30 o'clock p. m. today.

Mr. Purl moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Purl prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

COMMUNICATION FROM ATTORNEY GENERAL.

The Speaker laid before the House, and had read at this time, the following communication:

Attorney General's Department,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives, Capitol.

Dear Sir: I am in receipt of simple resolution adopted by the House of Representatives on May 7, 1923, signed by Messrs. Baldwin, Laird, Price, Henderson of Marion and Bonham. As the resolution is an official record of the House, I shall not attempt, in this communication, to restate its provisions, but shall answer only by referring to them.

You are respectfully advised that on account of the short period of time in

which I have had to consider this matter, since the resolution called for immediate answer, I am forced to reply without having had the opportunity of seeing a copy of the testimony taken by the investigating committee as I am advised that the stenographers are not yet through transcribing same and, of course, I have not had time to brief the law questions raised by the investigating committee. Indeed, I am not yet advised as to what questions were raised and assigned as reasons for the cancellation of the contracts. Yet to the fullest measure possible I desire to comply with the request of your honorable body and advise you of my attitude in regard to this matter.

I note that in paragraph three of the resolution you direct the Attorney General to take such action in and out of court, and institute and defend such suits, sue out such injunctions and other writs and other things as in his judgment shall be best calculated to prevent carrying into execution by any official any of such alleged contracts or any provisions thereof, or the paying out of any public moneys thereunder, to the end that the State of Texas may be relieved of and from any responsibility or liability under any of such alleged contracts. Under the Constitution, I feel that I am forced to construe your direction as a recommendation, rather than a direction, for I think that it is beyond controversy that, in this matter, it is not in the power of the Legislature to substitute its judgment for that of the Attorney General in matters belonging to the executive branch of the Government. The provision of the Constitution to which I refer is Article 2, Section 1, which reads as follows:

"The powers of the government of of the State of Texas shall be divided into three distinct departments, each of which shall be confided to a separate body of magistracy, to-wit: Those which are legislative to one, those which are executive to another, and those which are judicial to another, and no person or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted."

In view of the fact that the Constitution so clearly prohibits either co-ordinate branch of the government from assuming control of or directing the

business in another co-ordinate branch, I must conclude that it was not the intention of the House or Senate in the adoption of these resolutions to invade the executive branch of the government, to which belongs the Attorney General, and to direct that officer in the discharge of his official duties. If this might be done, there would be nothing remaining for the Attorney General to do except to follow the direction of the Legislature.

I am forced to make reference to the provisions of the Constitution because, after careful and conscientious consideration of these resolutions, I am compelled to advise you that I cannot, consistent with my conception of official duty and in accord with my oath of office, and the provisions of the Constitution and laws of the State of Texas, as I understand them, and the ethics of the legal profession to which I belong, comply with same to the extent of upholding and defending officials of the State in their failure or refusal to recognize or admit the validity or binding effect of such alleged contracts as is required by Section 2 of the resolutions, or to take affirmative action in or out of court, and institute such suits as would prevent the carrying into effect of the provisions of said contracts as is provided for in paragraph three of the resolution, solely upon this request or direction.

In taking this position, I am impelled by the following reasons:

The Constitution of Texas makes it the duty of the Attorney General to legally advise and legally defend all officers, commissions and departments of the government and all agencies of the government, to defend all contracts entered into by all governmental agencies acting in good faith and without fraud, and in the apparent scope of their governmental duties. The laws of the State of Texas provide for the creation of the Text Book Commission as a governmental agency of the State, and charge said Commission with the duty to select text books and award contracts therefor. This governmental agency, acting in accordance with provisions of law, selected text books and awarded contracts therefor. All of these things were authorized to be done and performed by law through the Commission. During the performance of the official acts of the Commission the Attorney General acted in the capacity

of legal adviser, as the Constitution directs, aided the Commission in legal matters when called upon, rendered legal opinions on matters coming before the Commission, and, when the text books had been selected and contracts awarded, the Attorney General, as the law requires, drew the contracts, assisted in getting them legally executed by both parties to the contracts, and for the Attorney General at this time to change over to the other side and attempt to set aside contracts written by his department, on the ground of irregularities, would violate proper legal ethics, would be contrary to public policy, and would also violate the duty placed upon the Attorney General to defend the contracts of the State's governmental agencies. For these reasons I feel that I could not conscientiously change sides with respect to these contracts at his stage of the procedure.

Paragraph three of the resolution directs the Attorney General to bring necessary suits for the cancellation of the contracts. Since the Constitution makes the Attorney General the adviser of all officers whose duty it is to perform any act in connection with these contracts, and in view of the general constitutional powers given to the Attorney General should suit be instituted for the cancellation of these contracts, it might be urged and with some reason that the institution of such suits would operate as a breach of the contract, and in such case upon the theory that the State was in court, the parties might seem to reconvene for such damages as might necessarily and properly flow from such claimed breach of the contract; and if it should be held that the State was in court for all purposes, a valid judgment might be rendered for such damages, should the contracts be ultimately declared valid. Therefore, I would suggest that the State must be very certain of its grounds for the rescission of these contracts before it brings such suits as these resolutions contemplate. Thus, once in court for this purpose, there is a possibility, under certain authorities, that it might be held to be in court for all proper purposes of such litigation.

As to what is a proper course of procedure will depend upon the facts and circumstances as they are found to exist at the time, and the Attorney General must be in position at all times

to take whatsoever course he feels it is his duty to take in regard to all matters involving his official duties.

The fact that it has been my pleasure, in all instances heretofore, to comply readily with all requests of the Legislature, and the fact that our relations have been exceedingly pleasant, I beg to assure you that it grieves me very much that, in this matter, I must dissent from the judgment of your honorable body.

Very respectfully yours,

W. A. KEELING,
Attorney General.

BILLS ORDERED NOT PRINTED.

On motion of Mrs. Wilmans, by unanimous consent, Senate bill No. 59 was ordered not printed.

On motion of Mr. Gipson, Senate bill No. 47 was ordered not printed.

HOUSE BILL NO. 70 WITH SENATE AMENDMENTS.

Mr. Cowen called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 70, A bill to be entitled "An Act amending Article 5980, relating to bonds of navigation and canal commissioners; Article 5995, relating to contractors' bond to navigation and canal commissioners; Article 5997, relating to payments to contractors during progress of work; Title 96, Revised Civil Statutes of Texas, 1911, so that articles shall hereafter read as herein provided; and further amending Section 11 of Chapter 30, Acts of 1921, General Laws of the State of Texas, First Called Session, Thirty-seventh Legislature, relating to navigation districts, so that said Section 11 may hereafter read as herein provided; and providing that the constitutionality of any part of this act does not invalidate the remainder; prescribing that all laws or parts of laws in conflict herewith are repealed, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Cowen, the House concurred in the Senate amendments by the following vote:

Yeas—103.

| | |
|--------------|-----------------|
| Mr. Speaker. | Avis. |
| Abney. | Baker of Milam. |
| Amsler. | Baldwin. |
| Arnold. | Barker. |

| | |
|------------------|---------------------|
| Bird. | McNatt. |
| Bobbitt. | Mathes. |
| Burmeister. | Maxwell. |
| Cable. | Melson. |
| Carpenter | Miller. |
| of Dallas. | Montgomery. |
| Carpenter | Moore. |
| of Matagorda. | Morgan |
| Carson. | of Robertson. |
| Carter of Hays. | Pate. |
| Chitwood. | Patman. |
| Coffee. | Perdue. |
| Collins. | Pinkston. |
| Cowen. | Pope. |
| Crawford. | Potter. |
| Culp. | Purl. |
| DeBerry. | Quaid. |
| Dielmann. | Quinn. |
| Dinkle. | Rice. |
| Dodd. | Robinson. |
| Downs. | Rogers. |
| Duffey. | Rowland. |
| Dunlap. | Russell |
| Durham. | of Callahan. |
| Edwards. | Russell of Trinity. |
| Frnka. | Sackett. |
| Fugler. | Sanford. |
| Gipson. | Satterwhite. |
| Hardin of Erath. | Shearer. |
| Harrington. | Smith. |
| Harris. | Sparkman. |
| Henderson | Stell. |
| of Marion. | Stevens. |
| Henderson | Stewart |
| of McLennan. | of Galveston. |
| Hendricks. | Stewart of Jasper. |
| Houston. | Stewart of Reeves. |
| Irwin. | Stiernberg. |
| Jacks. | Stroder. |
| Jennings. | Sweet. |
| Johnson. | Thompson. |
| Lackey. | Thrasher. |
| Laird. | Vaughan. |
| Lane. | Wallace. |
| LeMaster. | Wells. |
| LeSturgeon. | Westbrook. |
| Lewis. | Wessels. |
| Looney. | Williamson. |
| McBride. | Wilmans. |
| McDaniel. | Wilson. |
| McFarlane. | Young. |

Nays—1.

Davis.

Present—Not Voting.

| | |
|---------|---------|
| Bryant. | Martin. |
| Howeth. | Price. |
| Jones. | Shires. |

Absent.

| | |
|------------------|------------|
| Baker of Orange. | Covey. |
| Barrett. | Davenport. |
| Beasley. | Driggers. |
| Bell. | Dunn. |
| Bonham. | Faubion. |

| | |
|-------------|-------------|
| Fields. | Merritt. |
| Finlay. | Morgan |
| Green. | of Liberty. |
| Greer. | Patterson. |
| Hardin | Pool. |
| of Kaufman. | Simpson. |
| Hughes. | Stewart |
| Hull. | of Edwards. |
| Kemble. | Strickland. |
| Loftin. | Teer. |
| McDonald. | Turner. |
| McKean. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due thereof and its caption had been read, the following enrolled bill:

H. B. No. 20, "An Act providing that any hotel or boarding house or other place to which the people resort for board or lodging and which place repeatedly permits employes or guests to make, sell or give away intoxicating liquor or permits parties to drink intoxicating liquors to excess, or permits gambling or prostitution, shall be declared a nuisance to be abated by the courts; and providing that when such acts are repeatedly committed by guests or employes that fact shall be prima facie evidence that the proprietors, managers or those in charge have knowledge of same, and unless controverted shall be grounds for issuing an order of injunction; and providing that it shall not be necessary to prove that such conditions obtain at the time of the sitting of the court, but only that the material allegations are true, and declaring an emergency."

HOUSE BILL NO. 32 WITH SENATE AMENDMENTS.

Mr. Dinkle called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 32, A bill to be entitled "An Act providing for the levy and collection of income taxes upon individuals, firms, co-partnerships, corporations, joint stock companies and associations residing or doing business within the State of Texas, and upon non-residents having income from property located in or business transacted within the State of Texas; fixing the rates of

tax to be levied and collected from such income; providing for exemptions of amounts or parts of incomes, such exemptions to be excepted from said tax; providing for county income assessors and county income tax collectors; providing for the manner of making reports and returns by individuals, companies, co-partnerships and associations; providing for the compensation of county income assessors and county income tax collectors; providing for the disposition of the revenues arising under the provisions of this act; designating what shall constitute income, coming under the provisions of this act, and allowing such reductions from gross income for the purpose of calculating net income; providing for the appointment of supervisors and assistants required for the proper administration of the provisions hereof; making an appropriation for the purpose of carrying into effect the provisions of this act, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Dinkle moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

ADDRESS BY HON. TOM CONNELLY.

Mr. Satterwhite moved that the courtesies of the floor be extended to Hon. Tom Connelly and that he be invited to the Speaker's stand.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Hon. Tom Connelly to the Speaker's stand:

Messrs. Satterwhite, Quaid and Dunn.

The committee having performed their duty, Speaker Seagler introduced Hon. Tom Connelly.

Hon. Tom Connelly then addressed the House.

HOUSE BILL NO. 33 WITH SENATE AMENDMENTS.

Mr. Irwin called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 33, A bill to be entitled "An Act making it an offense to drive an automobile or any motor driven vehicle upon the streets of any incorpo-

rated city, town or village or upon the public highways under the influence of intoxicating liquor, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Irwin, the House concurred in the Senate amendments.

SPECIAL ORDER SET.

On motion of Mr. Price, House bill No. 23 was set as a special order for 3 o'clock p. m. today.

SENATE BILL NO. 3 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 3, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them, as follows, to wit: University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, Agricultural and Mechanical College, State Experimental Stations, Prairie View Normal and Industrial College, John Tarleton Agricultural College, Grubbs Vocational College, Promotion of Vocational Education, College of Industrial Arts, Sam Houston State Teachers College at Huntsville, Southwest Texas State Teachers College at San Marcos, North Texas State Teachers College at Denton, West Texas State Teachers College at Canyon, East Texas State Teachers College at Commerce, Sul Ross State Teachers College at Alpine, Stephen F. Austin State Teachers College at Nacogdoches, Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency."

The bill was read second time.

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 3 by striking out all after line three (3), on page two (2), down to and including line twenty-three (23) on page twenty-five (25), and substitute in lieu thereof the following:

For the maintenance, support and direction of the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metal-

lurgy at El Paso, including construction of buildings, for the years beginning September 1, 1923, and ending August 31, 1925, all the available University funds, including interest from its bonds, land notes, donations, gifts and all receipts whatsoever from any source; provided that all available University funds, fees excepted, shall be used for buildings and permanent equipment.

For the maintenance, support and direction of the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso, for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenues, as follows:

For Salaries.

| | Year end- ing Aug. 31, 1924. | Year end- ing Aug. 31, 1925. |
|----------------------------|------------------------------------|------------------------------------|
| Main University.. | \$1,050,000 | \$1,050,000 |
| Medical Branch.. | 135,000 | 135,000 |
| Mines and Metallurgy | 31,000 | 31,000 |
| Total salaries .. | \$1,216,000 | \$1,216,000 |

For Departmental Maintenance.

| | | |
|------------------------------------|------------|------------|
| Main University.. | \$ 90,000 | \$ 90,000 |
| Medical Branch.. | 18,000 | 18,000 |
| College of Mines and Metallurgy | 5,000 | 5,000 |
| Total maintenance | \$ 113,000 | \$ 113,000 |

Current Expenses.

| | | |
|--|-------------|-------------|
| Main University.. | \$ 125,000 | \$ 125,000 |
| Medical Branch.. | 10,000 | 10,000 |
| College of Mines and Metallurgy | 7,000 | 7,000 |
| Total current expenses | \$ 142,000 | \$ 142,000 |
| Grand total for the University for all branches and for all pur- poses | \$1,471,000 | \$1,471,000 |

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein, and no expenditures shall be made nor shall any obligations be incurred which, added to the actual expenditure, will exceed the amounts herein appropriated for either of said purposes; and provided further, that the

governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and the minimum salaries paid, the length and character of service performed and the number of people employed, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Signed—Henderson of Marion, Quaid.

Mr. Price raised a point of order on further consideration of the bill on the ground that the time for special order has arrived.

The Speaker sustained the point of order.

HOUSE BILL NO. 23 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 23, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars per year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1924, and August 31, 1925, respectively; allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for the granting of such aid, and providing no school having over five hundred scholars shall receive such aid; giving preference to all school districts in which the available school fund together with the local district tax will not maintain the school six months in the year; limiting the amount which any school may receive; providing for aid for schools where extraordinary conditions prevent school from meeting stated requirements; providing assistance for such rural schools as will afford instruction and demonstration in home and farm vocations, according to plans approved by the State Department of Education; providing assistance for small districts which effect consolidation during two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for re-

ports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith."

The bill was read third time.

Mr. Miller offered the following amendment to the bill:

Amend House bill No. 23, as amended on engrossment, by striking out all of Section 11, page 5 of printed bill and insert in lieu thereof the following:

"Sec. 11. Duties of the State Superintendent of Public Instruction.—It shall be the duty of the State Superintendent of Public Instruction to go in person or to send one of the rural school supervisors authorized by this act to assist the school communities who may desire the privileges of this act in their efforts to meet the necessary requirement in order that they may participate in the distribution of the funds herein appropriated.

"Before approving any application he shall make a thorough investigation in person, or through representatives approved by the State Board of Education, of the grounds, buildings, equipment and possibilities of each school applying for State aid under the provisions of this act, and aid shall not be granted to any school unless it be shown that such aid is actually needed for efficiency of school work and for the desired length of term. In cases where exceptional conditions, or lack of sufficient supervisory force renders personal inspection by the Department of Education impossible in time to grant State aid to some schools, the State Superintendent shall pursue each course, in regard to the final granting of State aid to such schools, as, on his recommendation, may be approved by the State Board of Education."

Mr. Pope moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—35.

| | |
|------------|-----------------|
| Abney. | Carter of Hays. |
| Arnold. | Covey. |
| Avis. | Davis. |
| Baldwin. | Dodd. |
| Barker. | Downs. |
| Bird. | Duffey. |
| Bonham. | Dunn. |
| Carpenter | Harrington. |
| of Dallas. | Houston. |

| | |
|-----------|--------------------|
| Howeth. | Potter. |
| Laird. | Quinn. |
| McDaniel. | Rogers. |
| Martin. | Rowland. |
| Moore. | Shires. |
| Perdue. | Stewart of Jasper. |
| Pinkston. | Stewart of Reeves. |
| Pool. | Strickland. |
| Pope. | Wessels. |

Nays—73.

| | |
|---------------|---------------------|
| Amsler. | Merritt. |
| Barrett. | Miller. |
| Bobbitt. | Morgan |
| Bryant. | of Robertson. |
| Burmeister. | Pate. |
| Cable. | Patman. |
| Carpenter | Patterson. |
| of Matagorda. | Price. |
| Carson. | Purl. |
| Chitwood. | Quaid. |
| Coffee. | Rice. |
| Collins. | Robinson. |
| Crawford. | Russell |
| Culp. | of Callahan. |
| DeBerry. | Russell of Trinity. |
| Dielmann. | Sackett. |
| Durham. | Sanford. |
| Edwards. | Satterwhite. |
| Faubion. | Shearer. |
| Fields. | Simpson. |
| Finlay. | Smith. |
| Fugler. | Sparkman. |
| Greer. | Stell. |
| Harris. | Stevens. |
| Henderson | Stewart |
| of Marion. | of Edwards. |
| Henderson | Stewart |
| of McLennan. | of Galveston. |
| Hendricks. | Stiernberg. |
| Jennings. | Stroder. |
| Lackey. | Sweet. |
| Lane. | Teer. |
| LeMaster. | Thompson. |
| LeStourgeon. | Thrasher. |
| Loftin. | Wallace. |
| Looney. | Wells. |
| McBride. | Westbrook. |
| McFarlane. | Williamson. |
| Mathes. | Wilmans. |
| Maxwell. | Young. |
| Melson. | |

Absent.

| | |
|------------------|-------------|
| Baker of Milam. | Hardin |
| Baker of Orange. | of Kaufman. |
| Beasley. | Hughes. |
| Bell. | Hull. |
| Cowen. | Irwin. |
| Davenport. | Jacks. |
| Dinkle. | Johnson. |
| Driggers. | Jones. |
| Dunlap. | Kemble. |
| Frnka. | Lewis. |
| Gipson. | McDonald. |
| Green. | McKean. |
| Hardin of Erath. | McNatt. |

| | |
|-------------|----------|
| Montgomery. | Vaughan. |
| Morgan | Wilson. |
| of Liberty. | Winfree. |
| Turner. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Simpson moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—82.

| | |
|------------------|---------------------|
| Amsler. | Maxwell. |
| Baldwin. | Melson. |
| Barrett. | Merritt. |
| Bobbitt. | Miller. |
| Bryant. | Morgan |
| Burmeister. | of Robertson. |
| Cable. | Pate. |
| Carpenter | Patman. |
| of Matagorda. | Patterson. |
| Carson. | Perdue. |
| Chitwood. | Pinkston. |
| Coffee. | Price. |
| Collins. | Purl. |
| Crawford. | Quaid. |
| Culp. | Rice. |
| DeBerry. | Robinson. |
| Dielmann. | Russell |
| Driggers. | of Callahan. |
| Durham. | Russell of Trinity. |
| Edwards. | Sanford. |
| Faubion. | Satterwhite. |
| Fields. | Shearer. |
| Finlay. | Shires. |
| Frnka. | Simpson. |
| Fugler. | Smith. |
| Gipson. | Sparkman. |
| Greer. | Stell. |
| Hardin of Erath. | Stewart |
| Harris. | of Edwards. |
| Henderson | Stewart |
| of Marion. | of Galveston. |
| Hendricks. | Strickland. |
| Jones. | Stroder. |
| Lackey. | Sweet. |
| Lane. | Teer. |
| LeMaster. | Thompson. |
| LeStourgeon. | Thrasher. |
| Lewis. | Wallace. |
| Loftin. | Wells. |
| Looney. | Westbrook. |
| McBride. | Wessels. |
| McDonald. | Williamson. |
| McFarlane. | Wilmans. |
| McKean. | Young. |
| Mathes. | |

Nays—28.

| | |
|-----------------|--------------------|
| Abney. | Henderson |
| Arnold. | of McLennan. |
| Avis. | Houston. |
| Baker of Milam. | Howeth. |
| Barker. | McDaniel. |
| Beasley. | Martin. |
| Bird. | Moore. |
| Carpenter | Pool. |
| of Dallas. | Pope. |
| Carter of Hays. | Potter. |
| Covey. | Quinn. |
| Davis. | Rogers. |
| Dodd. | Rowland. |
| Duffey. | Stewart of Jasper. |
| Dunn. | Stewart of Reeves. |
| Harrington. | |

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Jennings. |
| Bell. | Johnson. |
| Bonham. | Kemble. |
| Cowen. | Laird. |
| Davenport. | McNatt. |
| Dinkle. | Montgomery. |
| Downs. | Morgan |
| Dunlap. | of Liberty. |
| Green. | Sackett. |
| Hardin | Stevens. |
| of Kaufman. | Stiernberg. |
| Hughes. | Turner. |
| Hull. | Vaughan. |
| Irwin. | Wilson. |
| Jacks. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Greer, by unanimous consent, offered the following amendment to the bill:

Amend House bill No. 23, page 5, line 8, by inserting the words and figures "Sections 7 and 8" instead of "Section 8."

The amendment was adopted.

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 23 was then passed by the following vote:

Yeas—103.

| | |
|-----------------|---------------|
| Amsler. | Bonham. |
| Arnold. | Bryant. |
| Baker of Milam. | Burmeister. |
| Baldwin. | Cable. |
| Barker. | Carpenter |
| Barrett. | of Dallas. |
| Beasley. | Carpenter |
| Bird. | of Matagorda. |
| Bobbitt. | Carson. |

| | |
|------------------|---------------------|
| Carter of Hays. | Moore. |
| Chitwood. | Morgan |
| Coffee. | of Robertson. |
| Collins. | Pate. |
| Covey. | Patman. |
| Crawford. | Patterson. |
| Culp. | Perdue. |
| Davis. | Pinkston. |
| DeBerry. | Potter. |
| Dielmann. | Price. |
| Dodd. | Purl. |
| Downs. | Quaid. |
| Driggers. | Rice. |
| Duffey. | Robinson. |
| Dunn. | Rogers. |
| Durham. | Rowland. |
| Edwards. | Russell |
| Fields. | of Callahan. |
| Finlay. | Russell of Trinity. |
| Fugler. | Sackett. |
| Gipson. | Sanford. |
| Greer. | Satterwhite. |
| Hardin of Erath. | Shearer. |
| Harrington. | Shires. |
| Harris. | Simpson. |
| Hendricks. | Smith. |
| Houster. | Sparkman. |
| Irwin. | Stell. |
| Jacks. | Stevens. |
| Jones. | Stewart |
| Lackey. | of Edwards. |
| Laird. | Stewart |
| Lane. | of Galveston. |
| LeMaster. | Stewart of Jasper. |
| LeSturgeon. | Strickland. |
| Lewis. | Stroder. |
| Loftin. | Sweet. |
| Looney. | Teer. |
| McBride. | Thompson. |
| McDaniel. | Thrasher. |
| McFarlane. | Wallace. |
| McNatt. | Wells. |
| Mathes. | Williamson. |
| Maxwell. | Wilmans. |
| Melson. | Young. |
| Miller. | |

Nays—9.

| | |
|----------|--------------------|
| Avis. | Quinn. |
| Howeth. | Stewart of Reeves. |
| Martin. | Westbrook. |
| Merritt. | Wessels. |
| Pool. | |

Present—Not Voting.

Abney.

Absent.

| | |
|------------------|--------------|
| Baker of Orange. | Hardin |
| Bell. | of Kaufman. |
| Cowen. | Henderson |
| Davenport. | of Marion. |
| Dinkle. | Henderson |
| Dunlap. | of McLennan. |
| Faubion. | Hughes. |
| Frnka. | Hull. |
| Green. | Jennings. |

| | |
|-------------|-------------|
| Johnson. | Pope. |
| Kemble. | Stiernberg. |
| McDonald. | Turner. |
| McKean. | Vaughan. |
| Montgomery. | Wilson. |
| Morgan | Winfree. |
| of Liberty. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

SENATE BILL NO. 3 ON PASSAGE
TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 3, making certain appropriations for the educational institutions, on its passage to third reading, with amendment by Mr. Quaid pending.

Mr. Carpenter of Dallas offered the following amendment to the amendment:

Amend the amendment, page 414 of Journal, line 29, by inserting the following: "authorize and supervise the expenditure of the above sum and."

Mr. Dielmann moved the previous question on the pending amendment, and the main question was ordered.

Question recurring on the amendment to the amendment, it was adopted.

Question then recurring on the amendment by Mr. Quaid, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—87.

| | |
|-----------------|------------------|
| Amsler. | Durham. |
| Arnold. | Edwards. |
| Baker of Milam. | Fugler. |
| Baldwin. | Gipson. |
| Barrett. | Greer. |
| Bell. | Hardin of Erath. |
| Bird. | Harrington. |
| Bobbitt. | Harris. |
| Burmeister. | Henderson |
| Carpenter | of Marion. |
| of Dallas. | Hendricks. |
| Carpenter | Houston. |
| of Matagorda. | Hull. |
| Carson. | Irwin. |
| Carter of Hays. | Jacks. |
| Chitwood. | Jennings. |
| Coffee. | Jones. |
| Collins. | Kemble. |
| Covey. | Lackey. |
| Cowen. | Lane. |
| Dielmann. | LeMaster. |
| Duffey. | LeStourgeon. |
| Dunlap. | Lewis. |
| Dunn. | McBride. |

| | |
|---------------|--------------------|
| McDonald. | Russell |
| McFarlane. | of Callahan. |
| McKean. | Sackett. |
| McNatt. | Sanford. |
| Martin. | Satterwhite. |
| Mathes. | Shearer. |
| Montgomery. | Shires. |
| Moore. | Simpson. |
| Morgan | Smith. |
| of Robertson. | Sparkman. |
| Pate. | Stewart |
| Patterson. | of Edwards. |
| Perdue. | Stewart |
| Pinkston. | of Galveston. |
| Pool. | Stewart of Jasper. |
| Potter. | Stewart of Reeves. |
| Price. | Stiernberg. |
| Purl. | Strickland. |
| Quaid. | Stroder. |
| Rice. | Sweet. |
| Robinson. | Thrasher. |
| Rogers. | Westbrook. |
| Rowland. | Williamson. |
| | Young. |

Nays—26.

| | |
|-----------|-----------|
| Abney. | Looney. |
| Avis. | McDaniel. |
| Barker. | Melson. |
| Beasley. | Merritt. |
| Bryant. | Miller. |
| Cable. | Patman. |
| Davis. | Pope. |
| DeBerry. | Stell. |
| Dodd. | Teer. |
| Downs. | Thompson. |
| Driggers. | Wallace. |
| Fields. | Wells. |
| Finlay. | Wessels. |
| Howeth. | |

Present—Not Voting.

| | |
|--------------|----------|
| Henderson | Stevens. |
| of McLennan. | |

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Laird. |
| Bonham. | Loftin. |
| Crawford. | Maxwell. |
| Culp. | Morgan |
| Davenport. | of Liberty. |
| Dinkle. | Quinn. |
| Faubion. | Russell of Trinity. |
| Frnka. | Turner. |
| Green. | Vaughan. |
| Hardin | Wilmans. |
| of Kaufman. | Wilson. |
| Hughes. | Winfree. |
| Johnson. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Quaid moved to reconsider the

vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 3 by striking out everything between line 23 on page 25, and line 29, page 34, and insert in lieu thereof the following:

Agricultural and Mechanical College.

For the maintenance, support and direction of the Agricultural and Mechanical College of Texas for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenue, as follows:

| | For the years ending | |
|---|----------------------|----------------|
| | Aug. 31, 1924. | Aug. 31, 1925. |
| For salaries of administrative officers, teachers and other employes | \$500,000 | \$500,000 |
| Maintenance of administrative departments | 6,600 | 6,000 |
| Maintenance of teaching departments and laboratories .. | 100,000 | 100,000 |
| Maintenance of miscellaneous departments | 145,250 | 145,250 |
| Maintenance of anti-hog cholera serum laboratories, salaries and expenses of | 13,160 | 13,160 |
| Repairs and Improvements: | | |
| Repairs and remodeling of buildings... | 2,500 | 2,500 |
| Outside improvements, including drives, fences, shade trees and grading. | 2,000 | 2,000 |
| Maintenance and equipment of zoological grounds .. | 800 | 800 |
| Extension of mains and plumbing | 8,000 | 8,000 |
| Poultry husbandry building | | 7,500 |
| Concrete curbs, sidewalks and drives.. | 3,000 | 3,000 |
| Machinery for steam plant, including boiler, feed pump, water meter, oil pump and storage tanks | 7,500 | |

To repair and remodel old Agricultural building 15,000

Grand total, Agricultural and Mechanical College\$826,310 \$811,310

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein, and no expenditure shall be made, nor shall any obligation be incurred which, added to the actual expenditure, will exceed the amounts herein appropriated for the several purposes, and provided further, that the governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and minimum salaries paid, the number of people employed, the length of services performed and the character of such services, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Signed—Quaid, Henderson of Marion.

Mr. Harris offered the following amendment to the amendment:

Amend amendment to Senate bill No. 3 by striking out from last paragraph the words "maximum and minimum" before the word "salaries," and insert in lieu thereof the word "exact."

The amendment was adopted.

Mr. Carpenter of Dallas offered the following amendment to the amendment: "Provided that the Board of Directors shall authorize and supervise expenditure of the above sum."

The amendment was adopted.

Question recurring on the amendment as amended, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—90.

| | |
|-----------------|-----------------|
| Amsler. | Carson. |
| Arnold. | Carter of Hays. |
| Baker of Milam. | Chitwood. |
| Baldwin. | Coffee. |
| Barker. | Collins. |
| Barrett. | Covey. |
| Bird. | Cowen. |
| Bobbitt. | DeBerry. |
| Burmeister. | Dielmann. |
| Carpenter | Downs. |
| of Dallas. | Duffey. |
| Carpenter | Dunlap. |
| of Matagorda. | Dunn. |

| | |
|------------------|---------------------|
| Durham. | Pool. |
| Edwards. | Potter. |
| Fugler. | Price. |
| Gipson. | Purl. |
| Green. | Quaid. |
| Hardin of Erath. | Quinn. |
| Harrington. | Rice. |
| Harris. | Robinson. |
| Henderson | Rogers. |
| of Marion. | Rowland. |
| Hendricks. | Russell |
| Houston. | of Callahan. |
| Hull. | Russell of Trinity. |
| Jennings. | Sackett. |
| Johnson. | Sanford. |
| Jones. | Satterwhite. |
| Kemble. | Shearer. |
| Lackey. | Shires. |
| Lane. | Smith. |
| LeMaster. | Sparkman. |
| LeSturgeon. | Stewart |
| Lewis. | of Edwards. |
| McBride. | Stewart |
| McDonald. | of Galveston. |
| McKean. | Stewart of Jasper. |
| McNatt. | Stewart of Reeves. |
| Martin. | Stiernberg. |
| Mathes. | Strickland. |
| Maxwell. | Stroder. |
| Montgomery. | Sweet. |
| Moore. | Thrasher. |
| Morgan | Wells. |
| of Robertson. | Westbrook. |
| Pate. | Williamson. |
| Patterson. | Young. |

Nays—20.

| | |
|-----------|-----------|
| Abney. | Howeth. |
| Avis. | McDaniel. |
| Beasley. | Melson. |
| Bryant. | Miller. |
| Cable. | Patman. |
| Davis. | Pope. |
| Dodd. | Simpson. |
| Driggers. | Stell. |
| Fields. | Wallace. |
| Finlay. | Wessels. |

Present—Not Voting.

Henderson
of McLennan.

Absent.

| | |
|------------------|-------------|
| Baker of Orange. | Irwin. |
| Bell. | Jacks. |
| Bonham. | Laird. |
| Crawford. | Loftin. |
| Culp. | Looney. |
| Davenport. | McFarlane. |
| Dinkle. | Merritt. |
| Faubion. | Morgan |
| Frnka. | of Liberty. |
| Greer. | Perdue. |
| Hardin | Pinkston. |
| of Kaufman. | Stevens. |
| Hughes. | Teer. |

| | |
|-----------|----------|
| Thompson. | Wilmans. |
| Turner. | Wilson. |
| Vaughan. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Dodd offered the following amendment to the bill:

Amend Senate bill No. 3 as amended by adding after line 17, page 25, the following: "No registration fee or any other fee shall be charged any student in any department of the Main University or any of its branches, except the regular laboratory fees, which amount, except actual cost of breakage and other damages incurred by the student, shall be returned to said student at the end of the term for which said laboratory fee was paid."

Mr. Kemble moved to table the amendment.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—74.

| | |
|------------------|---------------------|
| Abney. | Kemble. |
| Amsler. | Lackey. |
| Arnold. | LeSturgeon. |
| Baker of Milam. | Lewis. |
| Baldwin. | McBride. |
| Barrett. | McDonald. |
| Bell. | McFarlane. |
| Bobbitt. | McKean. |
| Burmeister. | McNatt. |
| Carson. | Martin. |
| Chitwood. | Mathes. |
| Coffee. | Maxwell. |
| Covey. | Merritt. |
| Cowen. | Montgomery. |
| DeBerry. | Moore. |
| Dielmann. | Morgan |
| Dunlap. | of Robertson. |
| Dunn. | Patterson. |
| Edwards. | Perdue. |
| Fields. | Pool. |
| Gipson. | Potter. |
| Green. | Purl. |
| Hardin of Erath. | Quaid. |
| Harrington. | Robinson. |
| Harris. | Russell |
| Henderson | of Callahan. |
| of Marion. | Russell of Trinity. |
| Hendricks. | Sackett. |
| Houston. | Sanford. |
| Hull. | Satterwhite. |
| Irwin. | Shearer. |
| Jacks. | Shires. |
| Jennings. | Smith. |
| Jones. | Sparkman. |

| | | Main Station. | |
|---|--------------------|-------------------------------|---------------------|
| | | For the Years Ending | |
| | | Aug. 31, 1924 | Aug. 31, 1925 |
| Stewart of Galveston. | Thrasher. | Salaries (State's part) | \$ 60,000 \$ 60,000 |
| Stewart of Reeves. | Wallace. | General expenses, of- | |
| Strickland. | Wells. | fices of director and | |
| Sweet. | Westbrook. | chief clerk | 2,000 2,000 |
| Teer. | Williamson. | Traveling expenses of | |
| | Young. | director and assist- | |
| | | ants | 3,000 3,000 |
| Nays—31. | | Repairs on Main Sta- | |
| | | tion office and lab- | |
| | | oratory buildings . | 5,000 |
| | | Completion of cistern | |
| | | for laboratories ... | 1,000 |
| | | Janitors' wages and | |
| | | supplies | 900 900 |
| | | Maintenance of Re- | |
| | | search Library ... | 150 150 |
| | | Maintenance for Her- | |
| | | barium | 450 450 |
| | | Maintenance mailing | |
| | | room and publica- | |
| | | tions | 7,500 7,500 |
| | | Maintenance and sup- | |
| | | port for the re- | |
| | | search divisions as | |
| | | follows: | |
| | | Veterinary Science, | |
| | | Animal Diseases . | 9,000 9,000 |
| | | Horticulture | 1,250 1,250 |
| | | Animal Industry ... | 5,300 5,300 |
| | | Entomology | 4,400 4,400 |
| | | Foul Brood Inspec- | |
| | | tion Service | 12,000 12,000 |
| | | Beekeeping | 2,100 1,900 |
| | | Agronomy | 2,000 2,000 |
| | | Agronomy Experi- | |
| | | ment Farm | 6,500 6,350 |
| | | Plant Pathology and | |
| | | Physiology | 1,750 1,750 |
| | | Cotton Breeding | 1,250 1,250 |
| | | Co-operative Soil Sur- | |
| | | veys | 7,500 7,500 |
| | | To meet the demands | |
| | | of urgent and un- | |
| | | foreseen contingen- | |
| | | cies in items not | |
| | | provided for above | 1,000 1,000 |
| | | Grand total Main Sta- | |
| | | tion | \$134,050 \$127,700 |
| Avis. | LeMaster. | | |
| Barker. | Looney. | | |
| Bryant. | McDaniel. | | |
| Cable. | Melson. | | |
| Carpenter | Pope. | | |
| of Matagorda. | Quinn. | | |
| Carter of Hays. | Rice. | | |
| Davis. | Rogers. | | |
| Dodd. | Rowland. | | |
| Driggers. | Stell. | | |
| Duffey. | Stevens. | | |
| Durham. | Stewart of Jasper. | | |
| Finlay. | Stiernberg. | | |
| Frnka. | Stroder. | | |
| Henderson | Thompson. | | |
| of McLennan. | Wessels. | | |
| Howeth. | | | |
| Absent. | | | |
| Baker of Orange. | Laird. | | |
| Beasley. | Lane. | | |
| Bird. | Loftin. | | |
| Bonham. | Miller. | | |
| Carpenter | Morgan | | |
| of Dallas. | of Liberty. | | |
| Collins. | Pate. | | |
| Crawford. | Patman. | | |
| Culp. | Pinkston. | | |
| Davenport. | Price. | | |
| Dinkle. | Simpson. | | |
| Downs. | Stewart | | |
| Faubion. | of Edwards. | | |
| Fugler. | Turner. | | |
| Greer. | Vaughan. | | |
| Hardin | Wilman. | | |
| of Kaufman. | Wilson. | | |
| Hughes. | Winfree. | | |
| Johnson. | | | |
| Absent—Excused. | | | |
| Atkinson. | Lusk. | | |
| Blount. | Merriman. | | |
| Carter of Coke. | Storey. | | |
| Lamb. | | | |
| Mr. Quaid offered the following amendment to the bill: | | | |
| Amend Senate bill No. 3 by striking out everything between line 12, page 37, and line 26, page 41, and insert in lieu | | | |

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 3 by striking out everything between line 12, page 37, and line 36, page 41, and insert in lieu thereof the following:

For the maintenance, support and direction of the Texas Agricultural Experiment Station system, for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenue, as follows:

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein and no expenditure shall be made, nor shall any obligation be incurred, which, added to the actual expenditure will exceed the amounts

herein appropriated for the several purposes, and provided further, that the governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and minimum salaries paid, the number of people employed, the length of services performed and the character of such services, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Mr. Harris offered the following amendment to the amendment:

Amend last paragraph of amendment to Senate bill No. 3 by striking out the words "maximum and minimum" before the word "salaries" and insert in lieu thereof the word "exact."

The amendment was adopted.

Mr. LeSturgeon offered the following amendment to the amendment:

Amend amendment by inserting "Bee-keeping, \$7100—\$6900."

The amendment was adopted.

The amendment as amended was then adopted.

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 3 by striking out everything between line 33 on page 46, and line 17 on page 54, and insert in lieu thereof the following:

For the maintenance, support and direction of the John Tarleton Agricultural College, for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenue, as follows:

| | For the years ending Aug. 31, 1924. | Aug. 31, 1925. |
|--|--|-------------------|
| Salaries of officers, teachers and other employes | \$140,000 | \$140,000 |
| Departmental maintenance | 23,390 | 23,200 |
| Miscellaneous departments, including summer school ... | 34,850 | 33,650 |
| Repairs and Improvements: | | |
| Extension of mains, water and light lines, rewiring and for additional radiation and fittings. | 6,000 | 2,000 |
| Cook's quarters | 2,000 | |
| Repairs to farm houses, land betterment and fencing.. | 500 | 500 |
| Two 100-ton silos... | 600 | 600 |

| | | |
|--|-------|-------|
| One 500-bird poultry house with equipment | | 750 |
| Pecan orchard and preparing land, fencing, trees and labor | 500 | 500 |
| Equipment for laboratories, furniture, filing cabinets, desks, comptometer, typewriters, job press, paper cutting machine, type cases, general departmental equipment and supplies | 7,000 | 3,500 |
| Steam line coverings | 5,000 | |
| Campus improvement and care of grounds | 1,000 | 500 |
| Smokestack for heating plant | 5,000 | |
| Emergency boiler ... | 5,000 | |

Grand total for
John Tarleton
Agricultural
College\$230,840 \$205,200

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein, and no expenditure shall be made, nor shall any obligation be incurred which, added to the actual expenditure, will exceed the amounts herein appropriated for the several purposes; and provided further, that the governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and minimum salaries paid, the number of people employed, the length of services performed and the character of such services, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Mr. Harris offered the following amendment to the amendment:

Amend last paragraph of amendment to Senate bill No. 3 by striking out the words "maximum and minimum" before the word "salaries" and insert in lieu of these words the word "exact."

The amendment was adopted.

HOUSE BILL NO. 177, WITH SENATE AMENDMENTS.

Mr. Johnson called up from the Speaker's table, with Senate amend-

ments, for consideration of the amendments,

H. B. No. 177, A bill to be entitled "An Act to regulate and supervise and prevent fraud in the sale, purchase and disposition in the State of Texas of stocks, stock certificates, bonds, debentures or other securities and the transaction of business in this State of persons, joint stock companies, brokers, agents, co-partnerships or other companies, individuals or other organizations, offering for sale or selling in this State such securities, excepting companies incorporated under the laws of the State of Texas, granting additional authority and power to the Railroad Commission of Texas, and placing the administration of this act under its control and supervision; defining what shall constitute violations of this act, and fixing penalties and punishments therefor; making appropriations to carry out the provisions of this act; specifying that this act shall be known and cited as the 'Blue Sky Law of Texas', repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Johnson, the House concurred in the Senate amendments by the following vote:

Yeas—100.

| | |
|-----------------|------------------|
| Mr. Speaker. | Driggers. |
| Amsler. | Duffey. |
| Arnold. | Dunlap. |
| Avis. | Dunn. |
| Baker of Milam. | Durham. |
| Baldwin. | Edwards. |
| Barker. | Faubion. |
| Barrett. | Fields. |
| Bell. | Finlay. |
| Bobbitt. | Frnka. |
| Bonham. | Gipson. |
| Bryant. | Green. |
| Burmeister. | Greer. |
| Cable. | Hardin of Erath. |
| Carpenter | Harrington. |
| of Dallas. | Harris. |
| Carpenter | Houston. |
| of Matagorda. | Howeth. |
| Carson. | Irwin. |
| Carter of Hays. | Jacks. |
| Chitwood. | Johnson. |
| Coffee. | Kemble. |
| Collins. | Lackey. |
| Cowen. | LeMaster. |
| DeBerry. | LeStourgeon. |
| Dodd. | Lewis. |
| Downs. | Looney. |

| | |
|---------------|----------------------|
| McBride. | Rowland. |
| McDaniel. | Russell of Callahan. |
| McDonald. | Russell of Trinity. |
| McFarlane. | Sackett. |
| McKean. | Sanford. |
| McNatt. | Satterwhite. |
| Martin. | Shearer. |
| Mathes. | Shires. |
| Maxwell. | Simpson. |
| Melson. | Smith. |
| Merritt. | Sparkman. |
| Miller. | Stell. |
| Montgomery. | Stewart |
| Moore. | of Edwards. |
| Morgan | Stewart of Jasper. |
| of Robertson. | Stewart of Reeves. |
| Pate. | Stiernberg. |
| Patterson. | Strickland. |
| Perdue. | Stroder. |
| Pope. | Teer. |
| Potter. | Thompson. |
| Purl. | Thrasher. |
| Quinn. | Wells. |
| Rice. | Westbrook. |
| Robinson. | Williamson. |
| Rogers. | Young. |

Nays—4.

| | |
|--------------|--------|
| Davis. | Jones. |
| Henderson | Quaid. |
| of McLennan. | |

Present—Not Voting.

| | |
|-----------|----------|
| Abney. | Loftin. |
| Bird. | Patman. |
| Hull. | Stevens. |
| Jennings. | |

Absent.

| | |
|------------------|---------------|
| Baker of Orange. | Lane. |
| Beasley. | Morgan |
| Covey. | of Liberty. |
| Crawford. | Pinkston. |
| Culp. | Pool. |
| Davenport. | Price. |
| Dielmann. | Stewart |
| Dinkle. | of Galveston. |
| Fugler. | Sweet. |
| Hardin | Turner. |
| of Kaufman. | Vaughan. |
| Henderson | Wallace. |
| of Marion. | Wessels. |
| Hendricks. | Wilmans. |
| Hughes. | Wilson. |
| Laird. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Johnson moved to reconsider the vote by which the House concurred in the Senate amendments and to table the motion to reconsider.

The motion to table prevailed.

COMMUNICATION FROM STATE COMPTROLLER.

The Speaker laid before the house, and had read, the following communication:

Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Dear Sir: Taking cognizance of and replying to H. C. R. No. 4, adopted at the Regular Session of the Thirty-eighth Legislature, and under which resolution a report was made to you on the 4th day of May, 1923, this is to advise you and the members of the house that I, as Comptroller of Public Accounts, will comply in all things and with the instructions contained in such resolution and will be governed in every way under same until the question at issue is settled by the courts or further action by your honorable body.

Very truly yours,

LON A. SMITH,

Comptroller.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 32 and request the appointment of a free conference committee to adjust the differences between the two houses. The following are appointed on the committee in behalf of the Senate: Senators McMillin, Fairchild, Strong, Clark and Wirtz.

The Senate has granted the request of the House for a free conference committee on House bill No. 32 and the following are appointed on the committee in behalf of the Senate: Senators Witt, Davis, Rogers, Watts and Thomas.

The Senate has passed

H. B. No. 11, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes on land; providing compensation for the county attorney and other officials for service rendered in collecting such taxes; further providing for the employment of a special attorney to assist in collecting such taxes, amending Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature as amended by Sec-

tion 1 of Chapter 64 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, amending Section 2 of Chapter 147 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature; amending Articles 7688, 7689, 7691, 7692, 7696, 7699; repealing Article 7687 of the Revised Civil Statutes of the State of Texas of 1911 and Section 3, Chapter 147, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature, as amended by Section 2, Chapter 64, of the General Laws of the State of Texas passed by the Second Called Session of the Thirty-sixth Legislature; adding to Chapter 13 of Title 126 of the Revised Statutes of Texas of 1911 a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for the delinquent taxes; repealing all laws in conflict with the provisions of this act, and declaring an emergency," with amendments.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 32.

The Speaker announced the appointment of the following conference committee on the part of the House on House bill No. 32:

Messrs. Dinkle, Abney, Potter, Jennings and Bell.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report on House bill No. 5 by the following vote: 25 yeas and 0 nays.

The Senate has passed

H. B. No. 60, A bill to be entitled "An Act to amend Section 12 of Chapter 190, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Section 1 of Chapter 71, of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, which section relates to the allotment of highway funds in road construction, so as to provide for authority to increase the allotment of such funds to

aid in the construction of highways in the different counties, and to use said funds for maintenance purposes under certain conditions, and declaring an emergency."

H. B. No. 236, A bill to be entitled "An Act authorizing steam or electric railway companies, street railway companies, interurban railway companies, and other chartered transportation companies, or persons or associations of persons operating the same, or the receivers or lessees thereof, or their officers, agents or employees to issue free transportation to ministers of religion in this State when making intrastate trips; defining ministers of religion, and declaring an emergency," with amendments.

H. B. No. 177, A bill to be entitled "An Act to regulate and supervise and prevent fraud in the sale, purchase and disposition in the State of Texas of stocks, stock certificates, bonds, debentures or other securities and the transaction of business in this State of persons, joint stock companies, brokers, agents, co-partnerships or other companies, individuals or other organizations, offering for sale or selling in this State such securities, excepting companies incorporated under the laws of the State of Texas, granting additional authority and power to the Railroad Commission of Texas and placing the administration of this act under its control and supervision; defining what shall constitute violations of this act and fixing penalties and punishments therefor; making appropriations to carry out the provisions of this act; specifying that this act shall be known and cited as the 'Blue Sky Law of Texas'; repealing all laws in conflict herewith, and declaring an emergency," with amendments.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

CONFERENCE COMMITTEE ON SENATE BILL NO. 32.

Mr. Quaid called up from the Speaker's table, for consideration at this time, the request of the Senate for a Free Conference Committee on Senate bill No. 32.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Quaid moved that the request be granted.

The motion prevailed.

In accordance with the above action the Speaker announced the appointment of the following Conference Committee on the part of the House on Senate bill No. 32:

Messrs. Quaid, Hardin of Erath, Henderson of Marion, Cowen and Teer.

RELATING TO SUSPENSION OF HOUSE RULES.

Mr. Burmeister offered the following resolution:

Whereas, There are certain bills of importance pending and are now on the desk of the Speaker which should have consideration of the House; and

Whereas, The rules of the House provide that no House bill, except appropriations on second reading shall be considered for any purpose during the last seventy-two hours before final adjournment of the Legislature; that no Senate bill on second reading shall be considered during the last seventy-two hours of the Regular Session of the Legislature, or during the last seventy-two hours of a Special Called Session; therefore, be it

Resolved, That said rules be suspended and the time in which House bills on second reading, and Senate bills on second reading, may be considered up until Monday, May 14th, until 12 o'clock noon.

Signed—Burmeister, Shires.

The resolution was read second time.

Mr. Satterwhite moved that the resolution be laid on the table subject to call.

The motion was lost.

Question then recurring on the resolution, it was adopted.

RECESS.

Mr. Rogers moved that the House recess to 7:30 o'clock p. m. today.

Mr. Merritt moved that the House recess to 8 o'clock p. m. today.

Mr. Kemble moved that the House recess to 7 o'clock p. m. today.

Mr. McFarlane moved that the House recess to 7:45 o'clock p. m. today.

The motion of Mr. Rogers prevailed, and the House accordingly, at 6 o'clock p. m., took recess to 7:30 o'clock p. m. today.

NIGHT SESSION.

The House met at 7:30 o'clock p. m. and was called to order by the Speaker.

SENATE BILL NO. 3 ON PASSAGE
TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 3, making certain appropriations for the educational institutions, on its passage to third reading, with amendment by Mr. Quaid pending.

Mr. Quaid moved a call of the House for the purpose of maintaining a quorum until 9:30 o'clock p. m. today, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Quinn, the Sergeant-at-Arms was instructed to bring in all absentees within the city of Austin.

The roll was called and a quorum was announced present.

Question then recurring on the amendment by Mr. Quaid, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—88.

| | |
|-----------------|------------------|
| Amsler. | Greer. |
| Arnold. | Hardin of Erath. |
| Baker of Milam. | Harrington. |
| Bell. | Harris. |
| Bird. | Henderson |
| Bobbitt. | of Marion. |
| Bryant. | Hendricks. |
| Burmeister. | Houston. |
| Carpenter | Hull. |
| of Dallas. | Irwin. |
| Carpenter | Jennings. |
| of Matagorda. | Johnson. |
| Carson. | Jones. |
| Chitwood. | Kemble. |
| Coffee. | Lane. |
| Collins. | LeMaster. |
| Covey. | LeSturgeon. |
| Cowen. | Lewis. |
| Crawford. | Looney. |
| DeBerry. | McBride. |
| Dinkle. | McDonald. |
| Downs. | McFarlane. |
| Driggers. | McKean. |
| Duffey. | McNatt. |
| Dunlap. | Martin. |
| Dunn. | Mathes. |
| Durham. | Melson. |
| Edwards. | Montgomery. |
| Faubion. | Moore. |
| Fugler. | Morgan |
| Gipson. | of Liberty. |
| Green. | Pate. |

| | |
|--------------|--------------------|
| Patterson. | Shires. |
| Potter. | Smith. |
| Price. | Sparkman. |
| Purl. | Stell. |
| Quaid. | Stevens. |
| Quinn. | Stewart of Jasper. |
| Rice. | Stewart of Reeves. |
| Rowland. | Strickland |
| Russell | Stroder. |
| of Callahan. | Sweet. |
| Sackett. | Teer. |
| Sanford. | Thrasher. |
| Satterwhite. | Westbrook. |
| Shearer. | Young. |

Nays—10.

| | |
|-----------|-----------|
| Abney. | Perdue. |
| Avis. | Pope. |
| Barker. | Simpson. |
| Beasley. | Thompson. |
| Fields. | Wessels. |
| McDaniel. | |

Present—Not Voting.

| | |
|--------------|----------|
| Mr. Speaker. | Wallace. |
| Howeth. | |

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Merritt. |
| Baldwin. | Miller. |
| Barrett. | Morgan |
| Bonham. | of Robertson. |
| Cable. | Patman. |
| Carter of Hays. | Pinkston. |
| Culp. | Pool. |
| Davenport. | Robinson. |
| Davis. | Rogers. |
| Dielmann. | Russell of Trinity. |
| Dodd. | Stewart |
| Finlay. | of Edwards. |
| Frnka. | Stewart |
| Hardin | of Galveston. |
| of Kaufman. | Stiernberg. |
| Henderson | Turner. |
| of McLennan. | Vaughan. |
| Hughes. | Wells. |
| Jacks. | Williamson. |
| Lackey. | Wilmans. |
| Laird. | Wilson. |
| Loftin. | Winfree. |
| Maxwell. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 3 by striking out everything from line 14, page 61, down to and including line 1, page 67, and insert in lieu thereof the following:

Grubbs Vocational College.

Hereinafter to be known as "The North Texas Junior Agricultural College."

For the maintenance, support and direction of the Grubbs Vocational College, hereinafter to be known as the North Texas Junior Agricultural College, for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenue as follows:

| | For Years Ending | |
|---|------------------|---------------|
| | Aug. 31, 1924 | Aug. 31, 1925 |
| Salaries of officers, teachers and other employes | \$103,700 | \$103,700 |
| Departmental maintenance | 18,250 | 13,955 |
| Miscellaneous departments | 13,500 | 13,400 |
| Repairs and improvements: addition to boiler house, boiler and mains | | 10,000 |
| Campus improvements, including grading, terracing, trees, shrubbery, lamp posts, curbs, gutters and walks | 2,000 | 2,000 |
| Repairs and painting and extension of mains | 5,000 | 3,000 |
| Silo | | 600 |
| Poultry plant | | 600 |
| Drill grounds and athletic field and improving | 1,000 | 1,000 |
| Grand total | \$143,450 | \$148,255 |

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein and no expenditures shall be made, nor shall any obligation be incurred, which, added to the actual expenditure, will exceed the amounts herein appropriated for the several purposes; and provided further, that the governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and minimum salaries paid, the number of people employed, the length of services performed, and the character of such services, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Signed—Quaid, Henderson of Marion.

Mr. Harris offered the following amendment to the amendment:

Amend last paragraph of amendment to Senate bill No. 3 by striking out the words "maximum and minimum" before the word "salaries" and insert in lieu thereof the word "exact."

The amendment was adopted.

Question recurring on the amendment by Mr. Quaid, as amended, it was adopted.

Mr. Shearer offered the following amendment to the bill:

Amend Senate bill No. 3, as amended, page 42, line 24, by striking out the figures "\$3750.00" and "\$3500.00" and insert in lieu thereof the figures "\$5750.00" in each column and amend the total in line 26 to conform with this amendment.

Signed—Quinn, Shearer, Baker of Orange.

The amendment was adopted.

Mr. Gipson offered the following amendment to the bill:

Amend Senate bill No. 3 by inserting between lines 29 and 30, on page 45, the following:

"For the establishment and operation of an irrigation experiment farm, consisting of not less than 100 acres in the Wichita County Irrigation District, on lands to be donated to the State, and for the study of the economic problems of land utilization in this district, \$10,000.00—\$10,000.00"

Signed—Gipson, Avis, Martin, Covey, McFarlane.

The amendment was adopted.

Mr. Jones offered the following amendment to the bill:

Amend the amendment to Senate bill No. 3, page 45, line 25, by striking out the figures "\$2320.00" for both years and insert "\$2500.00" for both years.

The amendment was adopted.

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. three (3) by striking out all after line number nine (9), page fifty-four (54), down to and including line number thirteen (13), page sixty-one (61), and substituting in lieu thereof as follows:

For the maintenance, support and direction of the Prairie View State Normal and Industrial College, including the construction of buildings and equipment, for the years beginning September 1, 1923, and ending August 31, 1925, including interest on its bonds and all receipts whatsoever from any source.

For the years ending August 31, 1924, and August 31, 1925, the total sum of \$——— each year, said amounts so

appropriated to be supplemented by the Morrell Fund of \$— for each of said years, making a total of \$— for each of said years, to be applied to the payment of salaries as hereinafter set forth; provided that nothing herein shall prevent or affect the application of the said Morrell Fund to the purpose for which it was created, and the directors of the said Prairie View State Normal and Industrial College shall apply the said Morrell Fund upon the salary items hereinafter stated, to which, under the terms of the act creating said fund, it may be properly applied, and the payment of salaries to which the said Morrell Fund may be applied shall be in satisfaction pro tanto of such salaries as herein fixed.

Prairie View State Normal and Industrial College.
Prairie View, Texas.

For Years Ending
Aug. 31, Aug. 31,
1924 1925.

| | | |
|---|-----------|-----------|
| Salaries of administration, teachers and other employes. | \$100,000 | \$100,000 |
| Departmental maintenance | 30,000 | 30,000 |
| Miscellaneous departments | 35,000 | 34,500 |
| Repairs and improvements: | | |
| Extension of steam heat, plumbing and lighting lines and repairs to same.... | 3,000 | 3,000 |
| Sewage disposal plant | | 8,000 |
| For general repairs and painting | 6,000 | 4,000 |
| Roads and bridges... | 500 | 500 |
| Ice storage bin.... | 1,000 | |
| Cottages for teachers, two each year.. | 2,500 | 2,500 |
| Air compressors and repairs | 4,000 | 1,000 |
| Fire protection | 500 | 500 |
| Concrete sidewalks, curbs and gutters. | 500 | 500 |
| For training school building to match same from Rosenwald Fund | | 3,000 |
| Veterinary hospital. | | 15,000 |
| To construct fuel oil pipe line to railroad station and to purchase and install pump, build | | |

| | | |
|---|-----------|-----------|
| reservoir and equip boilers for oil burn- ing | 10,000 | 500 |
| Contingent fund.... | 500 | 500 |
| Total | \$193,500 | \$203,500 |

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein and no expenditure shall be made, nor shall any obligation be incurred, which, added to the actual expenditure, will exceed the amounts herein appropriated for the several purposes, and provided further, that the governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and minimum salaries paid, the number of people employed, the length of services performed and the character of such services, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Signed—Quaid, Henderson of Marion.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—81.

| | |
|------------------|--------------|
| Amsler. | Henderson |
| Arnold. | of Marion. |
| Avis. | Hendricks. |
| Baker of Milam. | Houston. |
| Barrett. | Hull. |
| Bell. | Irwin. |
| Bird. | Jennings. |
| Bobbitt. | Johnson. |
| Burmeister. | Jones. |
| Cable. | Kemble. |
| Carpenter | LeSturgeon. |
| of Dallas. | Lewis. |
| Carpenter | McBride. |
| of Matagorda. | McDonald. |
| Carson. | McKean. |
| Chitwood. | McNatt. |
| Collins. | Martin. |
| Covey. | Mathes. |
| Cowen. | Melson. |
| Crawford. | Montgomery. |
| Dinkle. | Moore. |
| Downs. | Pate. |
| Dunlap. | Patman. |
| Dunn. | Patterson. |
| Durham. | Perdue. |
| Edwards. | Pool. |
| Faubion. | Potter. |
| Fugler. | Price. |
| Gipson. | Purl. |
| Green. | Quaid. |
| Greer. | Rice. |
| Hardin of Erath. | Rogers. |
| Harrington. | Russell |
| Harris. | of Callahan. |

| | |
|------------------------|--------------------|
| Sackett. | Stewart of Jasper. |
| Sanford. | Stewart of Reeves. |
| Satterwhite. | Strickland. |
| Shearer. | Stroder. |
| Shires. | Sweet. |
| Smith. | Thrasher. |
| Sparkman. | Westbrook. |
| Stevens. | Young. |
| Stewart of Edwards. | |

Nays—17.

| | |
|-----------|-----------|
| Abney. | McDaniel. |
| Barker. | Pope. |
| Beasley. | Rowland. |
| DeBerry. | Simpson. |
| Dodd. | Stell. |
| Fields. | Teer. |
| Howeth. | Thompson. |
| LeMaster. | Wessels. |
| Looney. | |

Present—Not Voting.

| | |
|--------------|----------|
| Mr. Speaker. | Duffey. |
| Bryant. | Wallace. |

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | McFarlane. |
| Baldwin. | Maxwell. |
| Bonham. | Merritt. |
| Carter of Hays. | Miller. |
| Coffee. | Morgan |
| Culp. | of Liberty. |
| Davenport. | Morgan |
| Davis. | of Robertson. |
| Dielmann. | Pinkston. |
| Driggers. | Quinn. |
| Finlay. | Robinson. |
| Frnka. | Russell of Trinity. |
| Hardin | Stewart |
| of Kaufman. | of Galveston. |
| Henderson | Stiernberg. |
| of McLennan. | Turner. |
| Hughes. | Vaughan. |
| Jacks. | Wells. |
| Lackey. | Williamson. |
| Laird. | Wilmans. |
| Lane. | Wilson. |
| Loftin. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 3 by striking out everything between line 28, on page 67, down to and including line 39, page 72, and insert in lieu thereof the following:

College of Industrial Arts.

For the maintenance, support and direction of the College of Industrial Arts, for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenue, as follows:

| | For Years Ending | |
|--|------------------|---------------|
| | Aug. 31, 1924 | Aug. 31, 1925 |
| Salaries | \$288,200 | \$288,200 |
| General maintenance, extension service, improvements and repairs | 51,950 | 50,250 |

| | | |
|--|-----------|-----------|
| Grand total for College of Industrial Arts | \$340,150 | \$338,450 |
|--|-----------|-----------|

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein, and no expenditure shall be made, nor shall any obligation be incurred, which, added to the actual expenditure, will exceed the amounts herein appropriated for the several purposes; and provided further, that the governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and minimum salaries paid, the number of people employed, the length of services performed, and the character of such services, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Signed—Quaid, Henderson of Marion.

The amendment was adopted.

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 3 by striking out all after line 17, page 73, down to and including line 13, page 97, and by striking out from line 18, page 100, down to and including line 5, page 103, and insert the following:

For the maintenance, support and direction of the State Teachers Colleges of Texas, for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenue as follows:

North Texas State Teachers College,
Denton, Texas.

| | For Years Ending | |
|--------------------------------------|------------------|---------------|
| | Aug. 31, 1924 | Aug. 31, 1925 |
| Salaries of administrative officers, | | |

| | | |
|--|-----------|-----------|
| teachers and other employees | \$264,320 | \$264,320 |
| Departmental maintenance and equipment | 17,256 | 18,020 |
| Miscellaneous items: Fuel and lights, Regents' expenses, catalogs and bulletins, student labor, reference books and periodicals, painting, upkeep of buildings and grounds | 15,500 | 15,500 |
| Reappropriating unexpended balance of amount appropriated by Thirty-sixth Legislature for curbs, gutters and paving streets adjacent to State's property | 12,262 | |
| Total | \$309,338 | \$297,840 |

Sam Houston State Teachers College,
Huntsville, Texas.

| | | |
|---|-----------|-----------|
| Total salaries for teachers, officers and employes for 9 months regular session and 3 months summer session | \$175,000 | \$175,000 |
| Departmental maintenance | 34,705 | 34,705 |
| Miscellaneous items, including fuel, heat, light, power, printing, furniture, electric fixtures, fire hose and equipment, Regents' expense, drayage, janitors' supplies, freight, express, musical instruments, labor, periodicals and supplies | 15,450 | 12,850 |
| Repairs, improvements and equipment, including upkeep of buildings and grounds, remodeling and strengthening old Austin building, addition to athletic grounds and campus, paving State's share of streets adjacent to campus, repainting | 17,907 | 5,000 |
| Total | \$243,062 | \$227,555 |

Southwest Texas State Teachers College,
San Marcos, Texas.

| | | |
|---|-----------|-----------|
| Salaries for administrative officers, teachers and other employes | \$190,000 | \$190,000 |
| Departmental maintenance, equipment and expense | 23,630 | 24,890 |
| Miscellaneous items, including fuel, light, power, furniture and other items | 18,000 | 10,000 |
| Permanent improvements, including additional land, repairs of buildings, and fire escapes | 35,000 | 5,500 |
| Total | \$266,630 | \$230,390 |

East Texas State Teachers College,
Commerce, Texas.

| | | |
|--|-----------|-----------|
| Total salaries for East Texas State Teachers' College, teachers and administration for regular and summer terms | \$185,000 | \$185,000 |
| Departmental maintenance | 16,990 | 16,990 |
| Miscellaneous items, including fuel, light, heat, power, catalogs, kindergarten, office supplies, janitor supplies, electric fixtures, plumbing, auditing, Regents' expense, and other incidentals and rural training school | 12,500 | 12,500 |
| Repairs and improvements, including paving | 4,000 | 3,000 |
| Combination administration, education and auditorium building | 300,000 | |
| Total | \$518,490 | \$217,490 |

West Texas State Teachers College,
Canyon, Texas.

Salaries for teachers, officers and employes for nine months' regular session and three

| | | |
|--|-----------|-----------|
| months' summer session | \$180,000 | \$180,000 |
| Departmental maintenance | 22,500 | 20,000 |
| Miscellaneous items, including fuel, heat, light, power, printing, fire hose and equipment, drayage, freight, express, janitors' supplies, regents' expense and musical instruments and supplies | 16,000 | 15,000 |
| Repairs, improvements and equipment, including upkeep of buildings and grounds, fifty horse power engine and equipment, and housing for same, pumps, electrical equipment, steel filing cases, paving State's share of streets on and adjacent to campus, office supplies and equipment, library, painting.... | 28,210 | 16,530 |
| Total | \$246,710 | \$221,550 |

Stephen F. Austin State Teachers College.
Nacogdoches, Texas.

| | | |
|--|-----------|-----------|
| Salaries for administrative officers, teachers and other employees | \$95,000 | \$100,000 |
| Departmental equipment, maintenance, library equipment, reference books, improvement of campus and miscellaneous | 35,000 | 10,000 |
| Total | \$130,000 | \$110,000 |

Amend Senate bill No. 3 by striking out all after line 16, page 97, down to and including line 15, page 100, and substitute in lieu thereof the following:
For the maintenance, support and direction of the Sul Ross State Teachers College of Texas, for the two years beginning September 1, 1923, and ending August 31, 1925, from the general revenue, as follows:

| Sul Ross Teachers College. | | For Years Ending Aug. 31, 1924, Aug. 31, 1925 | |
|--|-----------|--|--|
| Salaries of administrative officers, teachers and other employees | \$ 64,500 | \$ 64,500 | |
| Departmental maintenance and equipment | 5,100 | 5,100 | |
| Miscellaneous items: fuel and lights, Regents' expenses, catalogues and bulletins, student labor, reference books and periodicals, painting, upkeep of buildings and grounds | 13,750 | 13,750 | |
| Repairs and improvements | 4,000 | 4,000 | |
| Total | \$ 87,350 | \$ 87,350 | |

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein, and no expenditure shall be made, nor shall any obligation be incurred, which, added to the actual expenditure, will exceed the amounts herein appropriated for the several purposes, and, provided further, that the governing board of this institution shall cause to be submitted to the next Legislature an itemized statement showing the maximum and minimum salaries paid, the number of people employed, the length of services performed and the character of such services, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Signed—Quaid, Henderson of Marion.

Question recurring on the section of the amendment relating to North Texas State Normal, yeas and nays were demanded.

This section of the amendment was adopted by the following vote:

Yeas—83.

| | |
|-----------------|---------------|
| Amsler. | Burmeister. |
| Arnold. | Cable. |
| Baker of Milam. | Carpenter |
| Barrett. | of Dallas. |
| Bell. | Carpenter |
| Bird. | of Matagorda. |
| Bobbitt. | Carson. |
| Bryant. | Chitwood. |

| | |
|------------------|--------------------|
| Coffee. | Mathes. |
| Collins. | Melson. |
| Covey. | Montgomery. |
| Cowen. | Moore. |
| Crawford. | Morgan |
| Dinkle. | of Liberty. |
| Downs. | Morgan |
| Driggers. | of Robertson. |
| Duffey. | Patterson. |
| Dunlap. | Pool. |
| Dunn. | Potter. |
| Durham. | Price. |
| Edwards. | Quaid. |
| Faubion. | Quinn. |
| Fugler. | Rice. |
| Gipson. | Rogers. |
| Greer. | Russell |
| Hardin of Erath. | of Callahan. |
| Harrington. | Sackett. |
| Harris. | Sanford. |
| Henderson | Satterwhite. |
| of Marion. | Shearer. |
| Hendricks. | Shires. |
| Houston. | Sparkman. |
| Hull. | Stevens. |
| Irwin. | Stewart |
| Jennings. | of Edwards. |
| Johnson. | Stewart |
| Kemble. | of Galveston. |
| Lane. | Stewart of Jasper. |
| LeMaster. | Stewart of Reeves. |
| LeStourgeon. | Strickland. |
| Lewis. | Stroder. |
| McBride. | Sweet. |
| McDonald. | Thrasher. |
| McKean. | Westbrook. |
| McNatt. | Young. |
| Martin. | |

Nays—18.

| | |
|-----------|-----------|
| Abney. | Pate. |
| Barker. | Patman. |
| Beasley. | Pope. |
| DeBerry. | Rowland. |
| Dodd. | Simpson. |
| Fields. | Stell. |
| Howeth. | Teer. |
| Looney. | Thompson. |
| McDaniel. | Wessels. |

Present—Not Voting.

Mr. Speaker.

Absent.

| | |
|------------------|--------------|
| Avis. | Hardin |
| Baker of Orange. | of Kaufman. |
| Baldwin. | Henderson |
| Bonham. | of McLennan. |
| Carter of Hays. | Hughes. |
| Culp. | Jacks. |
| Davenport. | Jones. |
| Davis. | Lackey. |
| Dielmann. | Laird. |
| Finlay. | Loftin. |
| Frnka. | McFarlane. |
| Green. | Maxwell. |

| | |
|---------------------|-------------|
| Merritt. | Turner. |
| Miller. | Vaughan. |
| Perdue. | Wallace. |
| Pinkston. | Wells. |
| Purl. | Williamson. |
| Robinson. | Wilmons. |
| Russell of Trinity. | Wilson. |
| Smith. | Winfree. |
| Stiernberg. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Question then recurring on the section relating to Sam Houston Teachers College, yeas and nays were demanded, and this section of the amendment was adopted by the following vote:

Yeas—82.

| | |
|------------------|---------------------|
| Amsler. | Johnson. |
| Arnold. | Jones. |
| Baker of Milam. | Kemble. |
| Barrett. | Lackey. |
| Bell. | Lane. |
| Bird. | LeMaster. |
| Bobbitt. | LeStourgeon. |
| Bryant. | Lewis. |
| Burmeister. | McBride. |
| Cable. | McKean. |
| Carpenter | McNatt. |
| of Dallas. | Martin. |
| Carpenter | Mathes. |
| of Matagorda. | Montgomery. |
| Carson. | Moore. |
| Chitwood. | Morgan |
| Coffee. | of Robertson. |
| Collins. | Patterson. |
| Covey. | Perdue. |
| Cowen. | Pinkston. |
| Crawford. | Pool. |
| Downs. | Potter. |
| Driggers. | Price. |
| Duffey. | Purl. |
| Dunlap. | Quaid. |
| Dunn. | Quinn. |
| Durham. | Rice. |
| Edwards. | Robinson. |
| Faubion. | Rogers. |
| Fugler. | Russell |
| Gipson. | of Callahan. |
| Green. | Russell of Trinity. |
| Hardin of Erath. | Sackett. |
| Harrington. | Sanford. |
| Harris. | Satterwhite. |
| Henderson | Shearer. |
| of Marion. | Shires. |
| Hendricks. | Smith. |
| Houston. | Sparkman. |
| Howeth. | Stevens. |
| Hull. | Stewart |
| Irwin. | of Edwards. |
| Jennings. | |

Stewart
of Galveston.
Stewart of Jasper.
Stewart of Reeves.
Strickland.

Stroder.
Sweet.
Thrasher.
Westbrook.
Young.

Nays—19.

Abney.
Barker.
Beasley.
DeBerry.
Dodd.
Fields.
Greer.
Laird.
Looney.
McDaniel.

Pate.
Patman.
Pope.
Rowland.
Simpson.
Stell.
Teer.
Thompson.
Wessels.

Present—Not Voting.

Mr. Speaker.

Absent.

Avis.
Baker of Orange.
Baldwin.
Bonham.
Carter of Hays.
Culp.
Davenport.
Davis.
Dielmann.
Dinkle.
Finlay.
Frnka.
Hardin
of Kaufman.
Henderson
of McLennan.
Hughes.
Jacks.

Loftin.
McDonald.
McFarlane.
Maxwell.
Melson.
Merritt.
Miller.
Morgan
of Liberty.
Stiernberg.
Turner.
Vaughan.
Wallace.
Wells.
Williamson.
Wilmons.
Wilson.
Winfree.

Absent—Excused.

Atkinson.
Blount.
Carter of Coke.
Lamb.

Lusk.
Merriman.
Storey.

Question then recurring on the section relating to San Marcos Normal, yeas and nays were demanded.

This section of the amendment was adopted by the following vote:

Yeas—83.

Amsler.
Arnold.
Baker of Milam.
Bell.
Bird.
Bobbitt.
Bryant.
Burmeister.
Cable.
Carpenter
of Dallas.
Carpenter
of Matagorda.

Carson.
Chitwood.
Coffee.
Collins.
Covey.
Cowen.
Crawford.
Downs.
Driggers.
Duffey.
Dunlap.
Dunn.
Durham.

Edwards.
Faubion.
Fugler.
Gipson.
Green.
Greer.
Hardin of Erath.
Harrington.
Harris.
Henderson
of Marion.
Hendricks.
Houston.
Hull.
Irwin.
Jennings.
Johnson.
Jones.
Kemble.
Lane.
LeMaster.
LeSturgeon.
Lewis.
McBride.
McKean.
McNatt.
Mathes.
Melson.
Montgomery.
Moore.
Morgan
of Robertson.

Pate.
Patterson.
Perdue.
Pool.
Potter.
Price.
Purl.
Quaid.
Rice.
Rogers.
Russell
of Callahan.
Sackett.
Sanford.
Satterwhite.
Shearer.
Shires.
Smith.
Sparkman.
Stevens.
Stewart
of Edwards.
Stewart
of Galveston.
Stewart of Jasper.
Stewart of Reeves.
Strickland.
Stroder.
Sweet.
Thrasher.
Westbrook.
Young.

Nays—16.

Abney.
Barker.
Beasley.
DeBerry.
Dodd.
Fields.
Laird.
Looney.
McDaniel.

Patman.
Pope.
Rowland.
Simpson.
Stell.
Teer.
Thompson.
Wessels.

Present—Not Voting.

Mr. Speaker.

Avis.

Absent.

Baker of Orange.
Baldwin.
Barrett.
Bonham.
Carter of Hays.
Culp.
Davenport.
Davis.
Dielmann.
Dinkle.
Finlay.
Frnka.
Hardin
of Kaufman.
Henderson
of McLennan.
Howeth.

Hughes.
Jacks.
Lackey.
Loftin.
McDonald.
McFarlane.
Martin.
Maxwell.
Merritt.
Miller.
Morgan
of Liberty.
Pinkston.
Quinn.
Robinson.
Russell of Trinity.
Stiernberg.

| | |
|----------|-------------|
| Turner. | Williamson. |
| Vaughan. | Wilmans. |
| Wallace. | Wilson. |
| Wells. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Question then recurring on the section relating to the Commerce Normal, yeas and nays were demanded.

This section of the amendment was adopted by the following vote:

Yeas—79.

| | |
|----------------------|--------------------|
| Amsler. | LeStourgeon. |
| Arnold. | Lewis. |
| Avis. | McBride. |
| Baker of Milam. | McDonald. |
| Bell. | McKean. |
| Bobbitt. | McNatt. |
| Bryant. | Martin. |
| Burmeister. | Mathes. |
| Cable. | Melson. |
| Carpenter of Dallas. | Montgomery. |
| Carson. | Moore. |
| Chitwood. | Pate. |
| Coffee. | Patterson. |
| Collins. | Pool. |
| Covey. | Potter. |
| Cowen. | Price. |
| Crawford. | Purl. |
| Dinkle. | Quaid. |
| Dodd. | Rice. |
| Downs. | Rogers. |
| Duffey. | Russell. |
| Dunlap. | of Callahan. |
| Dunn. | Sackett. |
| Durham. | Sanford. |
| Fugler. | Satterwhite. |
| Gipson. | Shearer. |
| Green. | Shires. |
| Greer. | Smith. |
| Hardin of Erath. | Sparkman. |
| Harrington. | Stell. |
| Harris. | Stevens. |
| Henderson of Marion. | Stewart. |
| Hendricks. | of Edwards. |
| Hull. | Stewart. |
| Irwin. | of Galveston. |
| Jennings. | Stewart of Reeves. |
| Johnson. | Strickland. |
| Jones. | Stroder. |
| Kemble. | Sweet. |
| Lane. | Thrasher. |
| | Westbrook. |
| | Young. |

Nays—20.

| | |
|----------|-----------|
| Abney. | Bird. |
| Barker. | DeBerry. |
| Beasley. | Driggers. |

| | |
|-----------|--------------------|
| Faubion. | Pope. |
| Fields. | Rowland. |
| Houston. | Simpson. |
| Laird. | Stewart of Jasper. |
| LeMaster. | Teer. |
| Looney. | Thompson. |
| McDaniel. | Wessels. |

Present—Not Voting.

| | |
|--------------|---------|
| Mr. Speaker. | Patman. |
|--------------|---------|

Absent.

| | |
|-------------------------|---------------------|
| Baker of Orange. | McFarlane. |
| Baldwin. | Maxwell. |
| Barrett. | Merritt. |
| Bonham. | Miller. |
| Carpenter of Matagorda. | Morgan. |
| Carter of Hays. | of Liberty. |
| Culp. | Morgan. |
| Davenport. | of Robertson. |
| Davis. | Perdue. |
| Dielmann. | Pinkston. |
| Edwards. | Quinn. |
| Finlay. | Robinson. |
| Frnka. | Russell of Trinity. |
| Hardin. | Stiernberg. |
| of Kaufman. | Turner. |
| Henderson. | Vaughan. |
| of McLennan. | Wallace. |
| Howeth. | Wells. |
| Hughes. | Williamson. |
| Jacks. | Wilmans. |
| Lackey. | Wilson. |
| Loftin. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Question then recurring on the section relating to West Texas State Teachers College, yeas and nays were demanded.

This section of the amendment was adopted by the following vote:

Yeas—80.

| | |
|-------------------------|-----------|
| Amsler. | Covey. |
| Baker of Milam. | Cowen. |
| Bell. | Crawford. |
| Bobbitt. | Downs. |
| Bryant. | Driggers. |
| Burmeister. | Duffey. |
| Cable. | Dunlap. |
| Carpenter of Dallas. | Dunn. |
| Carpenter of Matagorda. | Durham. |
| Carson. | Edwards. |
| Chitwood. | Faubion. |
| Coffee. | Fugler. |
| Collins. | Gipson. |
| | Green. |
| | Greer. |

| | |
|------------------|--------------------|
| Hardin of Erath. | Pool. |
| Harrington. | Potter. |
| Harris. | Purl. |
| Henderson | Quaid. |
| of Marion. | Quinn. |
| Hendricks. | Rice. |
| Howeth. | Rogers. |
| Irwin. | Russell |
| Jennings. | of Callahan. |
| Johnson. | Sackett. |
| Jones. | Sanford. |
| Kemble. | Satterwhite. |
| Lane. | Shires. |
| LeMaster. | Smith. |
| LeSturgeon. | Sparkman. |
| Lewis. | Stevens. |
| McBride. | Stewart |
| McDonald. | of Edwards. |
| McKean. | Stewart |
| McNatt. | of Galveston. |
| Martin. | Stewart of Jasper. |
| Mathes. | Stewart of Reeves. |
| Melson. | Strickland. |
| Montgomery. | Stroder. |
| Moore. | Sweet. |
| Morgan | Thrasher. |
| of Robertson. | Westbrook. |
| Pate. | Young. |
| Patterson. | |

Nays—18.

| | |
|-----------|----------|
| Abney. | Patman. |
| Barker. | Pope. |
| Beasley. | Price. |
| DeBerry. | Rowland. |
| Dodd. | Sheerar. |
| Fields. | Simpson. |
| Houston. | Stell. |
| Laird. | Teer. |
| Looney. | Wessels. |
| McDaniel. | |

Present—Not Voting.

| | |
|--------------|-------|
| Mr. Speaker. | Bird. |
|--------------|-------|

Absent.

| | |
|------------------|---------------------|
| Arnold. | Jacks. |
| Avis. | Lackey. |
| Baker of Orange. | Loftin. |
| Baldwin. | McFarlane. |
| Barrett. | Maxwell. |
| Bonham. | Merritt. |
| Carter of Hays. | Miller. |
| Culp. | Morgan |
| Davenport. | of Liberty. |
| Davis. | Perdue. |
| Dielmann. | Pinkston. |
| Dinkle. | Robinson. |
| Finlay. | Russell of Trinity. |
| Frnka. | Stiernberg. |
| Hardin | Thompson. |
| of Kaufman. | Turner. |
| Henderson | Vaughan. |
| of McLennan. | Wallace. |
| Hughes. | Wells. |
| Hull. | Williamson. |

| | |
|----------|----------|
| Wilmans. | Winfree. |
| Wilson. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Question then recurring on the section relating to Nacogdoches State Normal College, yeas and nays were demanded.

This section of the amendment was adopted by the following vote:

Yeas—82.

| | |
|------------------|--------------------|
| Amsler. | Lane. |
| Arnold. | LeMaster. |
| Baker of Milam. | LeSturgeon. |
| Barrett. | Lewis. |
| Bell. | McBride. |
| Bird. | McDonald. |
| Bobbitt. | McKean. |
| Bryant. | McNatt. |
| Burmeister. | Martin. |
| Cable. | Mathes. |
| Carpenter | Melson. |
| of Dallas. | Montgomery. |
| Carpenter | Moore. |
| of Matagorda | Morgan |
| Chitwood. | of Robertson. |
| Coffee. | Pate. |
| Collins. | Patterson. |
| Covey. | Pool. |
| Cowen. | Potter. |
| Crawford. | Price. |
| Dinkle. | Quaid. |
| Downs. | Rice. |
| Driggers. | Rogers. |
| Duffey. | Russell |
| Dunlap. | of Callahan. |
| Dunn. | Sackett. |
| Durham. | Sanford. |
| Edwards. | Satterwhite. |
| Faubion. | Shearer. |
| Fugler. | Shires. |
| Gipson. | Smith. |
| Green. | Sparkman. |
| Greer. | Stevens. |
| Hardin of Erath. | Stewart |
| Harrington. | of Edwards. |
| Harris. | Stewart |
| Henderson | of Galveston. |
| of Marion. | Stewart of Jasper. |
| Hendricks. | Stewart of Reeves. |
| Houston. | Strickland. |
| Hull. | Stroder. |
| Irwin. | Sweet. |
| Jennings. | Thrasher. |
| Jones. | Young. |
| Kemble. | |

Nays—17.

| | |
|---------|----------|
| Abney. | Beasley. |
| Barker. | DeBerry. |

| | |
|-----------|------------|
| Dodd. | Simpson. |
| Fields. | Stell. |
| Laird. | Teer. |
| Looney. | Thompson. |
| McDaniel. | Westbrook. |
| Patman. | Wessels. |
| Rowland. | |

Present—Not Voting.

Mr. Speaker. Howeth.

Absent.

| | |
|------------------|---------------------|
| Avis. | Maxwell. |
| Baker of Orange. | Merritt. |
| Baldwin. | Miller. |
| Bonham. | Morgan |
| Carson. | of Liberty. |
| Carter of Hays. | Perdue. |
| Culp. | Pinkston. |
| Davenport. | Pope. |
| Davis. | Purl. |
| Dielmann. | Quinn. |
| Finlay. | Robinson. |
| Frnka. | Russell of Trinity. |
| Hardin | Stiernberg. |
| of Kaufman. | Turner. |
| Henderson | Vaughan. |
| of McLennan. | Wallace. |
| Hughes. | Wells. |
| Jacks. | Williamson. |
| Johnson. | Wilmans. |
| Lackey. | Wilson. |
| Loftin. | Winfree. |
| McFarlane. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Question then recurring on the section of the amendment relating to the Sul Ross College, yeas and nays were demanded.

This section of the amendment was adopted by the following vote:

Yeas—81.

| | |
|-----------------|-----------|
| Amsler. | Carson. |
| Arnold. | Chitwood. |
| Avis. | Coffee. |
| Baker of Milam. | Collins |
| Barrett. | Covey. |
| Bell. | Cowen. |
| Bird. | Crawford. |
| Bobbitt. | Dinkle. |
| Bryant. | Downs. |
| Burmeister. | Driggers. |
| Cable. | Duffey. |
| Carpenter | Dunlap. |
| of Dallas. | Dunn. |
| Carpenter | Durham. |
| of Matagorda. | Edwards. |

| | |
|------------------|--------------------|
| Fugler. | Pate. |
| Gipson. | Pool. |
| Green. | Potter. |
| Greer. | Price. |
| Hardin of Erath. | Purl. |
| Harrington. | Quaid. |
| Harris. | Quion. |
| Henderson | Rogers. |
| of Marion. | Sackett. |
| Hendricks. | Sanford. |
| Houston. | Satterwhite. |
| Hull. | Shearer. |
| Irwin. | Shires. |
| Jennings. | Smith. |
| Johnson. | Sparkman. |
| Jones. | Stevens. |
| Kemble. | Stewart |
| Lane. | of Edwards. |
| LeMaster. | Stewart |
| LeSturgeon. | of Galveston. |
| Lewis. | Stewart of Jasper. |
| McBride. | Stewart of Reeves. |
| McDonald. | Strickland. |
| McKean. | Stroder. |
| Mathes. | Sweet. |
| Montgomery. | Thrasher. |
| Moore. | Westbrook. |
| Morgan | Young. |
| of Robertson. | |

Nays—20.

| | |
|-----------|-----------|
| Abney. | Martin. |
| Barker. | Melson. |
| Beasley. | Patman. |
| DeBerry. | Pope. |
| Dodd. | Rowland. |
| Fields. | Simpson. |
| Howeth. | Stell. |
| Laird. | Teer. |
| Looney. | Thompson. |
| McDaniel. | Wessels. |

Present—Not Voting.

Mr. Speaker. Russell
Patterson. of Callahan.

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Loftin. |
| Baldwin. | McFarlane. |
| Bonham. | McNatt. |
| Carter of Hays. | Maxwell. |
| Culp. | Merritt. |
| Davenport. | Miller. |
| Davis. | Morgan |
| Dielmann. | of Liberty. |
| Faubion. | Perdue. |
| Finlay. | Pinkston. |
| Frnka. | Rice. |
| Hardin | Robinson. |
| of Kaufman. | Russell of Trinity. |
| Henderson | Stiernberg. |
| of McLennan. | Turner. |
| Hughes. | Vaughan. |
| Jacks. | Wallace. |
| Lackey. | Wells. |

Williamson. Wilson.
Wilmans. Winfree.

Absent—Excused.

Atkinson. Lusk.
Blount. Merriman.
Carter of Coke. Storey.
Lamb.

The amendment was then adopted in its entirety.

Mr. Dodd offered the following amendment to the bill:

Amend Senate bill No. 3 by adding after the word "enacted" in line 8, page 111, the following:

"Provided no part of this appropriation shall be available for the payment of any teacher's salary in any institution named in this bill unless there is attached to the warrant drawn in favor of the teacher an affidavit, properly signed by said teacher, and sworn to before some officer duly authorized to administer oaths, declaring that said teacher has not, during the time for which said warrant was drawn, taught in any class, or suggested on the school premises anything contrary to the teaching of the Holy Bible as to the origin of man."

Signed—Dodd, Stroder, Stewart of Reeves, Pate, Rice, Howeth.

On motion of Mr. LeSturgeon, the call of the House was extended until 10 o'clock p. m. today.

Mr. Quaid moved to table the amendment.

Mr. Burmeister raised a point of order on consideration of the amendment on the ground that the amendment is not germane to the purpose of the bill.

The Speaker overruled the point of order.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—57.

Amsler. Dunn.
Arnold. Edwards.
Barrett. Fugler.
Bell. Green.
Bobbitt. Harrington.
Bryant. Harris.
Burmeister. Henderson
Carpenter of Marion.
of Dallas. Hendricks.
Carpenter Houston.
of Matagorda. Hull.
Carson. Irwin.
Chitwood. Jennings.
Coffee. Johnson.
Cowen. Jones.
DeBerry. LeSturgeon.

Lewis. Satterwhite.
McBride. Shearer.
McDonald. Shires.
McKean. Simpson.
Mathes. Smith.
Moore. Stevens.
Patterson. Stewart
Pool. of Edwards.
Potter. Strickland.
Price. Sweet.
Purl. Teer.
Quaid. Thrasher.
Russell. Westbrook.
of Callahan. Wessels.
Sackett. Young.

Nays—41.

Abney. McDaniel.
Avis. McNatt.
Baker of Milam. Melson.
Barker. Morgan
Beasley. of Robertson.
Cable. Pate.
Crawford. Patman.
Dinkle. Pope.
Dodd. Rice.
Downs. Rogers.
Driggers. Rowland.
Duffey. Sanford.
Durham. Sparkman.
Faubion. Stell.
Fields. Stewart
Greer. of Galveston.
Howeth. Stewart of Jasper.
Kemble. Stewart of Reeves.
Laird. Stroder.
Lane. Thompson.
LeMaster. Wallace.
Looney.

Present—Not Voting.

Mr. Speaker. Montgomery.
Collins. Perdue.
Martin. Quinn.

Absent.

Baker of Orange. Jacks.
Baldwin. Lackey.
Bird. Loftin.
Bonham. McFarlane.
Carter of Hays. Maxwell.
Covey. Merritt.
Culp. Miller.
Davenport. Morgan
Davis. of Liberty.
Dielmann. Pinkston.
Dunlap. Robinson.
Finlay. Russell of Trinity.
Frnka. Stiernberg.
Gipson. Turner.
Hardin of Erath. Vaughan.
Hardin. Wells.
of Kaufman. Williamson.
Henderson. Wilmans.
of McLennan. Wilson.
Hughes. Winfree.

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

Mr. Harrington offered the following amendment to the bill:

Amend Senate bill No. 3, page 73, by striking out lines 1 to 11, inclusive.

Mr. Greer moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Carpenter of Dallas moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—25.

| | |
|-------------|--------------------|
| Abney. | Martin. |
| Barker. | Morgan |
| Beasley. | of Robertson. |
| Dodd. | Pate. |
| Driggers. | Rice. |
| Fields. | Sanford. |
| Greer. | Simpson. |
| Harrington. | Stell. |
| Howeth. | Stewart of Jasper. |
| Laird. | Teer. |
| LeMaster. | Wallace. |
| Looney. | Westbrook. |
| McKean. | Wessels. |

Nays—71.

| | |
|-----------------|------------------|
| Amsler. | Gipson. |
| Arnold. | Green. |
| Avis. | Hardin of Erath. |
| Baker of Milam. | Harris. |
| Barrett. | Henderson |
| Bobbitt. | of Marion. |
| Burmeister. | Hendricks. |
| Cable. | Hull. |
| Carpenter | Jennings. |
| of Dallas. | Jones. |
| Carpenter | Kemble. |
| of Matagorda. | Lane. |
| Chitwood. | LeStourgeon. |
| Coffee. | Lewis. |
| Collins. | McBride. |
| Covey. | McDonald. |
| Cowen. | McNatt. |
| Crawford. | Mathes. |
| DeBerry. | Melson. |
| Dinkle. | Montgomery. |
| Downs. | Moore. |
| Duffey. | Patman. |
| Dunlap. | Patterson. |
| Dunn. | Pool. |
| Durham. | Pope. |
| Edwards. | Potter. |
| Fugler. | Purl. |

| | |
|--------------|--------------------|
| Quaid. | Stevens. |
| Quinn. | Stewart |
| Rogers. | of Edwards. |
| Rowland. | Stewart |
| Russell | of Galveston. |
| of Callahan. | Stewart of Reeves. |
| Sackett. | Strickland. |
| Satterwhite. | Stroder. |
| Shearer. | Sweet. |
| Shires. | Thompson. |
| Smith. | Thrasher. |
| Sparkman. | Young. |

Present—Not Voting.

| | |
|--------------|-------------|
| Mr. Speaker. | Houston. |
| Bell. | McDaniel. |
| Bird. | Morgan |
| Bryant. | of Liberty. |
| Faubion. | Perdue. |

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Lackey. |
| Baldwin. | Loftin. |
| Bonham. | McFarlane. |
| Carson. | Maxwell. |
| Carter of Hays. | Merritt. |
| Culp. | Miller. |
| Davenport. | Pinkston. |
| Davis. | Price. |
| Dielmann. | Robinson. |
| Finlay. | Russell of Trinity. |
| Frnka. | Stiernberg. |
| Hardin | Turner. |
| of Kaufman. | Vaughan. |
| Henderson | Wells. |
| of McLennan. | Williamson. |
| Hughes. | Wilmons. |
| Irwin. | Wilson. |
| Jacks. | Winfree. |
| Johnson. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

On motion of Mr. Burmeister, the call of the House was extended until 10:30 o'clock p. m. today.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 3 was then passed to third reading by the following vote:

Yeas—80.

| | |
|-----------------|---------------|
| Amsler. | Burmeister. |
| Arnold. | Carpenter |
| Avis. | of Dallas. |
| Baker of Milam. | Carpenter |
| Barrett. | of Matagorda. |
| Bell. | Carson. |
| Bobbitt. | Chitwood. |
| Bryant. | Coffee. |

| | |
|------------------|--------------------|
| Collins. | Martin. |
| Covey. | Mathes. |
| Cowen. | Montgomery. |
| Crawford. | Moore. |
| Dinkle. | Morgan |
| Dodd. | of Robertson. |
| Downs. | Pate. |
| Driggers. | Patterson. |
| Dunlap. | Pool. |
| Dunn. | Potter. |
| Durham. | Price. |
| Edwards. | Purl. |
| Fugler. | Quaid. |
| Gipson. | Quinn. |
| Green. | Rice. |
| Greer. | Rogers. |
| Hardin of Erath. | Russell |
| Harrington. | of Callahan. |
| Harris. | Sackett. |
| Henderson | Sanford. |
| of Marion. | Satterwhite. |
| Hendricks. | Shearer. |
| Hull. | Shires. |
| Irwin. | Smith. |
| Jennings. | Sparkman. |
| Jones. | Stevens. |
| Kemble. | Stewart |
| Lane. | of Edwards. |
| LeMaster. | Stewart of Jasper. |
| LeSturgeon. | Stewart of Reeves. |
| Lewis. | Strickland. |
| McBride. | Stroder. |
| McDonald. | Sweet. |
| McKean. | Thrasher. |
| McNatt. | Young. |

Nays—21.

| | |
|----------|---------------|
| Abney. | McDaniel. |
| Barker. | Melson. |
| Bird. | Patman. |
| Cable. | Pope. |
| DeBerry. | Rowland. |
| Duffey. | Simpson. |
| Fields. | Stell. |
| Houston. | Stewart |
| Howeth. | of Galveston. |
| Laird. | Teer. |
| Looney. | Thompson. |

Present—Not Voting.

| | |
|--------------|---------|
| Mr. Speaker. | Perdue. |
|--------------|---------|

Absent.

| | |
|------------------|--------------|
| Baker of Orange. | Hardin |
| Baldwin. | of Kaufman. |
| Beasley. | Henderson |
| Bonham. | of McLennan. |
| Carter of Hays. | Hughes. |
| Culp. | Jacks. |
| Davenport. | Johnson. |
| Davis. | Lackey. |
| Dielmann. | Loftin. |
| Faubion. | McFarlane. |
| Finlay. | Maxwell. |
| Frnka. | Merritt. |

| | |
|---------------------|-------------|
| Miller. | Wallace. |
| Morgan | Wells. |
| of Liberty. | Westbrook. |
| Pinkston. | Wessels. |
| Robinson. | Williamson. |
| Russell of Trinity. | Wilmans. |
| Stiernberg. | Wilson. |
| Turner. | Winfree. |
| Vaughan. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

SENATE BILL NO. 3 ON THIRD READING.

Mr. Quaid moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—90.

| | |
|------------------|---------------|
| Mr. Speaker. | Harris. |
| Amsler. | Henderson |
| Arnold. | of Marion. |
| Baker of Milam. | Hendricks. |
| Barker. | Hull. |
| Barrett. | Irwin. |
| Bell. | Jennings. |
| Bobbitt. | Jones. |
| Bryant. | Kemble. |
| Burmeister. | Lane. |
| Cable. | LeMaster. |
| Carpenter | LeSturgeon. |
| of Dallas. | Lewis. |
| Carpenter | McBride. |
| of Matagorda. | McDonald. |
| Carson. | McKean. |
| Chitwood. | McNatt. |
| Coffee. | Martin. |
| Collins. | Mathes. |
| Covey. | Melson. |
| Cowen. | Montgomery. |
| Crawford. | Moore. |
| DeBerry. | Morgan |
| Dinkle. | of Robertson. |
| Dodd. | Pate. |
| Downs. | Patman. |
| Driggers. | Patterson. |
| Duffey. | Pool. |
| Dunlap. | Potter. |
| Dunn. | Purl. |
| Durham. | Quaid. |
| Edwards. | Quinn. |
| Faubion. | Rice. |
| Fugler. | Rogers. |
| Gipson. | Russell |
| Green. | of Callahan. |
| Greer. | Sackett. |
| Hardin of Erath. | Sanford. |
| Harrington. | Satterwhite. |

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| Shearer. | Stewart of Jasper. |
| Shires. | Stewart of Reeves. |
| Simpson. | Strickland. |
| Smith. | Stroder. |
| Sparkman. | Sweet. |
| Stevens. | Teer. |
| Stewart | Thompson. |
| of Edwards. | Thrasher. |
| Stewart | Westbrook. |
| of Galveston. | Young. |

Nays—11.

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| Abney. | McDaniel. |
| Avis. | Perdue. |
| Fields. | Pope. |
| Houston. | Rowland. |
| Laird. | Stell. |
| Looney. | |

Present—Not Voting.

Bird.

Absent.

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| Baker of Orange. | McFarlane. |
| Baldwin. | Maxwell. |
| Beasley. | Merritt. |
| Bonham. | Miller. |
| Carter of Hays. | Morgan |
| Culp. | of Liberty. |
| Davenport. | Pinkston. |
| Davis. | Price. |
| Dielmann. | Robinson. |
| Finlay. | Russell of Trinity. |
| Frnka. | Stiernberg. |
| Hardin | Turner. |
| of Kaufman. | Vaughan. |
| Henderson | Wallace. |
| of McLennan. | Wells. |
| Howeth. | Wessels. |
| Hughes. | Williamson. |
| Jacks. | Wilmans. |
| Johnson. | Wilson. |
| Lackey. | Winfree. |
| Loftin. | |

Absent—Excused.

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| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

The Speaker then laid Senate bill No. 3 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—78.

| | |
|-----------------|---------------|
| Mr. Speaker. | Bryant. |
| Amsler. | Burmeister. |
| Arnold. | Carpenter |
| Baker of Milam. | of Dallas. |
| Barrett. | Carpenter |
| Bell. | of Matagorda. |
| Bobbitt. | Carson |

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| Chitwood. |
| Coffee. |
| Collins. |
| Covey. |
| Cowen. |
| Dinkle. |
| Downs. |
| Dunlap. |
| Dunn. |
| Durham. |
| Edwards. |
| Fugler. |
| Gipson. |
| Green. |
| Greer. |
| Hardin of Erath. |
| Harrington. |
| Harris. |
| Henderson |
| of Marion. |
| Hendricks. |
| Hull. |
| Irwin. |
| Jennings. |
| Jones. |
| Kemble. |
| Lane. |
| LeMaster. |
| LeSturgeon. |
| Lewis. |
| McBride. |
| McDonald. |
| McKean. |
| McNatt. |
| Martin. |
| Mathes. |

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| Montgomery. |
| Moore. |
| Morgan |
| of Robertson. |
| Pate. |
| Patterson. |
| Pool. |
| Potter. |
| Price. |
| Purl. |
| Quaid. |
| Quinn. |
| Rice. |
| Rogers. |
| Russell |
| of Callahan. |
| Sackett. |
| Sanford. |
| Satterwhite. |
| Shearer. |
| Shires. |
| Smith. |
| Sparkman. |
| Stevens. |
| Stewart |
| of Edwards. |
| Stewart |
| of Galveston. |
| Stewart of Jasper. |
| Stewart of Reeves. |
| Strickland. |
| Stroder. |
| Sweet. |
| Thrasher. |
| Young. |

Nays—25.

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| Abney. | Laird. |
| Avis. | Looney. |
| Barker. | McDaniel. |
| Bird. | Melson. |
| Cable. | Patman. |
| Crawford. | Pope. |
| DeBerry. | Rowland. |
| Dodd. | Simpson. |
| Driggers. | Stell. |
| Duffey. | Teer. |
| Fields. | Thompson. |
| Houston. | Wallace. |
| Howeth. | |

Present—Not Voting.

Perdue.

Absent.

| | |
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| Baker of Orange. | Frnka. |
| Baldwin. | Hardin |
| Beasley. | of Kaufman. |
| Bonham. | Henderson |
| Carter of Hays. | of McLennan. |
| Culp. | Hughes. |
| Davenport. | Jacks. |
| Davis. | Johnson. |
| Dielmann. | Lackey. |
| Faubion. | Loftin. |
| Finlay. | McFarlane. |

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| Maxwell. | Turner. |
| Merritt. | Vaughan. |
| Miller. | Wells. |
| Morgan | Westbrook. |
| of Liberty. | Wessels. |
| Pinkston. | Williamson. |
| Robinson. | Wilmans. |
| Russell of Trinity. | Wilson. |
| Stiernberg. | Winfree. |

Absent—Excused.

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| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

SENATE BILL NO. 92 ON SECOND READING.

On motion of Mr. Smith, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 92, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on the taking effect of this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Smith offered the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That the following sums of money or so much thereof as may be necessary be and the same are hereby appropriated to pay miscellaneous claims against the State as herein enumerated:

To pay various and sundry parties amounts due each by reason of the loss of cotton crops and being deprived of the privilege to plant and grow cotton on account of non-cotton zones established by the State to prevent the spread of the pink boll worm as per claims approved by the Compensation Claim Board appointed by the Governor, by authority of the Acts of the Thirty-seventh Legislature, Chapter 41, Section 9, page 125, and said claims now on file in office of Commissioner of Agriculture, and being for the years 1918-1919 and 1920.....\$439,946.50

To pay Sheriff T. A. Binford of Harris county for mileage and expenses incurred in the enforcement of law and apprehending prisoners 8,232.17

To refund to Galveston county money paid into the State Treasury for the taking of shell out of the Galveston Bay, said refund authorized by Article 4021, R. S. of Texas..... 892.36

To pay Alpine Lumber Company over payment franchise tax for year 1922-23 13.58

To pay Judge James B. Hubbard for services as special district judge in Bell county during the years 1919, 1920 and 1921..... 1,281.15

To pay Yates Oil and Gas Company for over payment of gross receipt tax for the quarter ending June 30, 1922 16.01

To pay James T. Byan as reward for the arrest and conviction of William M. (Mack) Jones 100.00

To pay W. H. Foster for services as special judge of Brazoria county, 1922 444.44

To pay City Ice and Bottling Works of Georgetown, Texas, for erroneous payment of occupation tax for years 1921 to 1919, inclusive.... 80.00

To pay George Morrison as special judge of Red River county for year 1922.... 64.80

To pay E. M. Davenport, sheriff of Jackson county, for expenses incurred on trip to California to return R. P. Faulkner..... 212.07

To pay Paris Grocery Company of Greenville for 3000 pounds of beans furnished State institutions in Austin, 1918..... 262.50

To pay D. M. McNeil Turner, Webb county, for services as special district judge of the Forty-ninth Judicial District, 1922, three hundred and fifty dollars 350.00

To pay W. W. Morris, Erath county, for service as special judge, Twenty-ninth Judicial District, 1922.... 21.90

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| To pay Morgan Printing Company, Austin, on approved account for printing for Markets and Warehouse and Insurance departments | 441.33 | Court of Civil Appeals, 1922-23 | 109.50 |
| To pay refund to Wichita Falls and Southern Railway for erroneous payment of taxes to Young county, 1922 | 511.92 | To pay J. T. Smith, William Woodall and M. M. McFarlane 10 per cent commission on \$76,491.98, inheritance tax collected under contract made by Comptroller Terrell, authorized by Act of Thirty-fifth Legislature | 7,649.19 |
| To pay in full Dr. James M. Loving for medical and surgical attention and treatment rendered Troy Leonard Brown, a private in the Texas National Guard, in August, September and October, 1920 | 200.00 | To pay Robstown Gin and Ice Company for erroneous payment of franchise taxes for years 1916 to 1921.... | 569.55 |
| To pay Walker Bros. & Co. for erroneous payment of franchise taxes for years 1917 to 1922, inclusive.. | 364.00 | For the payment of the claim of John T. Smith, William Woodall and M. M. McFarland for commission claimed in the matter of collecting inheritance tax under contract with the State of Texas, said contract being for two years and expiring January 1, 1921, said contract being held valid by the Supreme Court of the State of Texas in the case of Johnson, tax collector, vs. Lon A. Smith, Comptroller, decided December 20, 1922; provided said claim is established by any district court sitting in Travis county, State of Texas, and authority is hereby given to the said Smith, Woodall and McFarland to institute suit against the State of Texas for the recovery of said claim; provided further that upon the trial of said cause if said claim be established in favor of Smith, Woodall and McFarland and against the State that no laches on the part of the holder of said claim shall defeat the recovery, and that no statute of limitations shall be a claim in favor of the State against the said claimants or so much thereof as may be necessary; provided further, that the State may be cited in said cause by serving citation on the Attorney General of the State of Texas; provided that nothing herein shall be construed as preventing either the claimants or the State from the right of appeal as in other cases. Amount, \$10,607.43. | |
| To pay R. C. Burbank Labor Agency of San Antonio for excess on license, 1921.... | 22.36 | To pay W. H. Grandbery for services as official court reporter of Fifty-fourth Judicial District Court, 1922 | 42.60 |
| To pay Garza Employment Agency of San Antonio for refund upon expired license | 25.00 | To pay Austin S. Dodd for services as special district judge of Red River county for the year 1922..... | 328.74 |
| To pay C. C. Johnson of San Antonio as refund on expired license of Lone Star Emigrant Agency for year 1920 | 31.05 | To pay R. B. Truly for services as special district judge of Eastland county for the year 1922..... | 186.15 |
| To pay F. L. Snodgrass of Coleman county for services as special judge in 1922.. | 54.75 | | |
| To pay R. J. Robertson of Young county for erroneous payment of taxes on land in Young county for years 1893 to 1914..... | 21.91 | | |
| To pay R. P. Brasht for sundry items furnished National Guard at Rockport after storm of 1919..... | 128.50 | | |
| To pay Orus O. Ross of Wichita county for services as special district judge of the Thirtieth, Seventy-eighth and Eighty-ninth Judicial Districts.. | 448.95 | | |
| To W. W. Cook of Wichita county for services as special district judge of the Thirtieth Judicial District | 32.79 | | |
| To pay W. G. Gayle, county attorney of Bee county, for four days' services rendered as district attorney. | 60.00 | | |
| To pay H. E. Chesley for nine days' service as special associate justice of the | | | |

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| To pay D. T. Bowles of Stephens county for services as special district judge for the year 1922.. | 339.49 | erroneously paid gross receipts tax in 1921..... | 44.55 |
| To pay C. P. Chastain for services as special district judge in Eastland county for the year 1922..... | 251.85 | To pay R. E. Hardwicke of Wichita county for services as special district judge | 229.95 |
| To pay to S. W. Davis for services rendered as special stenographer at Hillsboro, Texas, in the case of State of Texas vs. Conrad Simpkins in January and February, 1923 | 29.00 | To pay Judge Geo. A. Smoot of Wichita for services as special district judge in 1922..... | 88.80 |
| To pay to Miller Vidor Lumber Company State taxes erroneously paid on certain lands in Jasper county in the year 1922..... | 103.50 | To refund Brighton Investment Company of Dallas account of double payment franchise tax in 1921..... | 15.00 |
| To refund Southern Ice and Utilities Company of Dallas, Texas, for erroneous payment of franchise tax for 1919, 1920 and 1921.. | 665.00 | To pay Judge W. N. Stokes of Wilbarger county for services as special associate justice Court of Civil Appeals at Amarillo in 1921 | 411.00 |
| To pay to Johnson Publishing Company of Virginia for double payment of franchise tax in 1921 and 1922 | 212.25 | To pay Judge Percy Spencer of Lubbock for services as special district judge in 1922..... | 111.10 |
| To pay to Judge J. A. Mooney for services as special judge in the Ninth Judicial District in Hardin county, Texas, 1922..... | 54.75 | To pay Judge C. D. Wright of Silverton for services as special district judge in 1922 | 32.85 |
| To pay to Judge J. W. Sanders for district judge of the district court of Roberts county for services as special judge in 1920..... | 32.85 | To refund to the Texas-Pacific Coal and Oil Company gross receipts taxes erroneously paid to the State in 1918 to 1922, inclusive | 23,726.74 |
| To refund to the Continental Mining Company of San Antonio, Texas, for overpayment of franchise tax in 1919 and 1920..... | 980.00 | To pay S. W. Dean of Grimes county for services as special district judge in 1922 | 21.90 |
| To refund to the Texas and Mexico Mining Company of San Antonio, Texas, for overpayment of franchise tax in 1919, 1920 and 1921..... | 120.00 | To pay Ben Hicks, sheriff of Montgomery county, Texas, for expenses incurred from Texas line to Colorado and return with prisoner in 1922 | 115.00 |
| To refund to the Jimulco Mining Company of San Antonio, Texas, for overpayment of franchise tax for 1919, 1920 and 1921.. | 1,470.00 | To pay McAlister Coal Company, Austin, Texas, for coal furnished Governor's Mansion, 1921 | 250.00 |
| To refund to the Panuco Mountain Monclova Railway Company for overpayment on franchise tax for the years 1919 and 1920 | 180.00 | To pay Palmetto Lumber Company of Jasper, Texas, for payment to the State of excess taxes in the year 1921 | 130.20 |
| To refund to J. D. Avis for | | To pay Duval Ranch Company of Houston, Texas, for payment of excess taxes in the year 1919..... | 468.66 |
| | | To pay J. L. Jennings of Canadian for services as special judge of Hemphill county for year 1921..... | 120.45 |
| | | To pay Talasek & Chupik of Rosenberg, Texas, for payment of excess taxes.. | 60.00 |

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| To pay F. J. Huntoon, official stenographer of Ninetieth judicial district for services rendered in 1922.. | 23.00 | To pay A. H. Mount for services as special judge of Dallas county, 1922 | 54.75 |
| To pay Moran & Son, Midland, Texas, refund of occupation tax erroneously paid for year 1921..... | 18.00 | To pay O. O. Franklin, Childress, Texas, for services as official court reporter, 1922 | 118.22 |
| To pay R. M. Smith for services as special judge of Wood county for year 1922 | 54.75 | To pay C. D. Russell for services as special judge of Lubbock county, 1922 | 161.15 |
| To pay A. D. Bohn of Austin, laundry for Governor's Mansion for year 1920-21. | 38.66 | To pay W. M. Biggs, sheriff of Shackelford county for sheriff's fees approved by Comptroller but no appropriation to pay same..... | 94.03 |
| To pay H. C. Purl of Georgetown, Texas, for expenses incurred in trip to California in enforcement of law and apprehension of convicts | 168.52 | To pay Royal R. Watkins for services as special judge of Dallas for year 1922..... | 2,434.27 |
| To pay W. W. Walling for services as special judge of Texas for year 1922... | 628.99 | To pay A. B. Rennolds for services as special judge of Limestone county, 1922 | 49.31 |
| To pay Mrs. William Harbuck for excess taxes paid into the State by erroneous double rendition | 84.45 | To pay Henry Mings for services as court reporter of Upshur county, 1922..... | 75.00 |
| To pay W. M. Burch for special services as justice in Court of Civil Appeals, Second District, for year 1922 | 68.45 | To M. H. Baughn for services as special judge of Lamar county, 1922 | 470.85 |
| To pay E. O. Moffet for services as deputy official reporter for Thirty-seventh Judicial District in 1922 | 38.41 | To L. D. Hillyer for services as official court reporter of the Eighty-eighth Judicial District, 1922..... | 65.00 |
| To authorize the Board of Control to deliver to J. T. Robinson one registered bred Holstein heifer from the Southwestern Insane Asylum at San Antonio as part payment for a registered Holstein bull purchased from the said Robinson by former State Purchasing Agent George Leavy as per agreement between the said purchasing agent and the said Robinson. | | To pay Janie B. Summers, common law wife of James H. Cluck, deceased, inheritance tax erroneously paid, 1918 | 1,036.00 |
| To pay J. E. Vickers for services as special judge of Lubbock county, 1922.. | 20.00 | To pay R. D. Holliday, sheriff of Polk county, expense to Louisiana and return for arrest of D. E. Rainey conveying said Rainey to Livingston, Polk county.. | 40.00 |
| To pay Gus Gober, sheriff of Hardeman county, for expenses incurred on trip to California to return Jim Henry to the State under requisition of the Governor | 246.10 | To pay Danciger Oil & Refining Company, Mexia, refund for erroneous payment of gross receipt tax for quarter ending March 21, 1922 | 1,017.32 |
| To pay J. E. Kilgore for services as special judge of Wichita county, 1922..... | 142.48 | To pay Dallas News for advertisements for bids on building for School of Blind, 1917 | 12.00 |
| | | To pay Lee E. Edens, physician attending the painter who fell from dome of the Capitol..... | 10.00 |
| | | To supplement salaries of district attorneys for month of August, 1922 (the amount appropriated being insufficient to comply with the statute)..... | 1,500.00 |
| | | To pay Henry Stevens, sheriff of Bandera county, ex- | |

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| pense to California and return for arresting and conveying back Clifton Lewis, a fugitive from justice, to Bandera, Texas | 144.67 | Civil Appeals at Beaumont on account of error in addition of appropriation for 1922 and 1923..... | 600.00 |
| To pay Walter Tips Company of Austin sundry accounts for supplies for buildings, grounds and power house of Capitol..... | 237.63 | To pay Judge Sam R. Scott of Waco for services as district judge in 1921.... | 43.80 |
| To pay Terminal Emigrant Agency, San Antonio, refund on emigrant agency license, 1921 | 250.00 | To refund to Harris county money paid into the State Treasury for shell taken out of Galveston Bay, said refund authorized by Article 4021, Revised Civil Statutes of Texas..... | 584.82 |
| To refund to the Crawford Rubber Company, Houston, Texas, for excess payment of gross receipt taxes..... | 16.69 | To pay J. W. McCutchan, sheriff of Howard county, expenses from State line to Topeka, Kansas, for getting W. J. Hoffman, who had been convicted in Texas for selling liquor... | 53.20 |
| To refund to the Paris Grocery Company, Paris, Texas, for excess payment of gross receipts taxes..... | 1.03 | To pay D. H. Carpenter, Camp county, assignee, First National Bank of New-some, refund of State taxes erroneously paid on property | 44.55 |
| To refund to the Sterling D. Anderson Co., Houston, Texas, for excess payment of gross receipt taxes..... | 39.39 | To pay E. A. Peavy of Tarrant county refund of State taxes erroneously paid on land | 97.35 |
| To refund to L. Villegas & Co., Laredo, Texas, for excess payment of gross receipt taxes | 68 | To pay Claud P. Smith, official shorthand reporter, district court of the Ninety-first Judicial District, Eastland county | 47.60 |
| To refund to the Yantis-Herpel Motor Company, San Antonio, Texas, for excess payment of gross receipt taxes | 2.36 | To pay Security Life Insurance Company of America for erroneous payment of State taxes on Liberty Bonds deposited in the State Treasury | 150.00 |
| To refund to the Gasoline Petroleum Company, Taylor, Texas, for excess payment of gross receipt taxes | 50.55 | To pay W. D. Garnett, Gainesville, Texas, for services as special district judge for Cooke county in 1922 | 43.60 |
| To refund to the Federal Petroleum Co., Breckenridge, Texas, for excess payment of gross receipt taxes | 23.31 | To pay German Adrion for damage done his car by inmates of Insane Asylum at Austin | 18.00 |
| To refund to Woody Hines, Wichita Falls, Texas, for excess payment of gross receipt taxes | 32.17 | To pay T. W. Thames and wife, Amelia S. Thames, for the expenses incurred and loss and damages sustained by reason of the injury and death resulting from said injury to their son, Dell Thames, while an inmate of the Reformatory at Gatesville, Texas, the amount herein appropriated the full amount, and | |
| To refund to Rio Grande Oil Company, El Paso, Texas, for excess payment of gross receipt taxes..... | 6.57 | | |
| To refund to the Power Oil Company for overpayment of charges for certified copies of papers in Secretary of State's office..... | 8.00 | | |
| To refund Mrs. Annie E. Dewees for erroneous payment of taxes, years 1901 to 1922 inclusive, on land in Wilson county..... | 976.07 | | |
| To pay to the Ninth Court of | | | |

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| State is to be at no other expense | 2500.00 | funded according to the amount shown to be due by the Comptroller..... | 895.28 |
| To refund to Crane Company, a corporation organized under the laws of the State of Illinois, franchise taxes paid by said company for the years ending May 1, 1912, 1913, 1914 and 1915, under the Act of 1907 held void by the Supreme Court of the United States in the case of Crane Company vs. Looney, Attorney General. | 7382.00 | To pay sundry parties to whom the State Railroad is due money by the Prison Commission between April 1, 1921, and August 1, 1922, said claim now on file with the Comptroller, and numbered from 1 to 150, both numbers inclusive, when said claim has been duly verified as now provided by law, and when so verified, the Comptroller shall then issue his warrant in payment of such claims so verified | 5656.64 |
| To refund to the Oliver Typewriter Company, a corporation, organized under the laws of the State of Illinois, franchise taxes paid by said company for the years ending May 1, 1913, 1914, 1915 and 1916, under the Act of 1907 held void by the Supreme Court of the United States in the case of the Oliver Typewriter Company vs. Looney, Attorney General | 2486.00 | To pay George W. Tackitt for services in the Texas Ranger Force in 1860..... | 100.00 |
| To refund to Fulton Bag & Cotton Mills, a corporation, organized under the laws of the State of Georgia, franchise taxes paid by said company for the years ending May 1, 1915, 1916 and 1917, under the Act of 1907 held void by the Supreme Court of the United States in the case of Fulton Bag & Cotton Mills vs. Looney, Attorney General | 2332.00 | To pay D. A. Miller for services in the Texas Ranger Force in 1861..... | 100.00 |
| To pay A. R. Merriweather, witness claim | 3.08 | To pay L. L. Tackitt for services in the Texas Ranger Force in 1860..... | 100.00 |
| To pay Z. T. Riley, witness claim | 3.08 | To pay Rankin Audit Company, Houston, amount due under contract for services in auditing State books, the amount herein appropriated to be the full amount due | 402.50 |
| To pay Roy Phillips, witness claim | 3.20 | Sec. 2. The fact that many just claims against the State remain unpaid, and the further fact that the State is under obligations and is honor bound to meet its just obligations and many of these claims are long past due and that public policy requires that all just demands upon the State be adjusted with as little delay as possible, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted. | |
| To pay Chester C. Clark, witness claim | 4.00 | Mr. Dodd offered the following amendment to the amendment: | |
| To pay Mrs. Mary Clark, witness claim | 4.00 | Amend Senate bill No. 92 by adding at end of bill "\$300 to refund occupation tax erroneously paid by H. L. Vaughn." | |
| To pay W. N. Brown, witness claim | 3.08 | The amendment was adopted. | |
| To refund to George Beggs, Fort Worth, overpayment of gross receipt tax on oil produced, said payment to be based on an audit to be made by the Comptroller before payment is made, and so much of the amount herein appropriated as may be necessary shall be re- | | Mr. Pope moved the previous question on the pending amendment and the bill, and the main question was ordered. | |

Question recurring on the amendment to the amendment, it was adopted.

Question recurring on the amendment as amended, it was adopted.

Senate bill No. 92 was then passed to third reading.

SENATE BILL NO. 92 ON THIRD READING.

Mr. Pope moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

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|-----------------|---------------|
| Mr. Speaker. | Jennings. |
| Abney. | Jones. |
| Amsler. | Kemble. |
| Arnold. | Lane. |
| Baker of Milam. | LeMaster. |
| Barker. | LeSturgeon. |
| Barrett. | Lewis. |
| Beasley. | Looney. |
| Bell. | McBride. |
| Bird. | McDaniel. |
| Bobbitt. | McDonald. |
| Bryant. | McKean. |
| Burmeister. | McNatt. |
| Cable. | Martin. |
| Carpenter | Mathes. |
| of Dallas. | Melson. |
| Carpenter | Montgomery. |
| of Matagorda. | Moore. |
| Chitwood. | Morgan |
| Coffee. | of Robertson. |
| Collins. | Pate. |
| Covey. | Patman. |
| Cowen. | Patterson. |
| Crawford. | Perdue. |
| DeBerry. | Pool. |
| Dinkle. | Pope. |
| Dodd. | Potter. |
| Downs. | Price. |
| Driggers. | Purl. |
| Duffey. | Quaid. |
| Dunlap. | Quinn. |
| Dunn. | Rice. |
| Durham. | Rogers. |
| Edwards. | Rowland. |
| Faubion. | Russell |
| Fields. | of Callahan. |
| Fugler. | Sackett. |
| Gipson. | Sanford. |
| Green. | Satterwhite. |
| Greer. | Shearer. |
| Harrington. | Shires. |
| Harris. | Sparkman. |
| Henderson | Stell. |
| of Marion. | Stevens. |
| Houston. | Stewart |
| Howeth. | of Edwards. |
| Hull. | Stewart |
| Irwin. | of Galveston. |

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| Stewart of Jasper. | Thompson. |
| Stewart of Reeves. | Thrasher. |
| Strickland. | Wallace. |
| Stroder. | Westbrook. |
| Sweet. | Young. |
| Teer. | |

Nays—2.

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| Hendricks. | Laird. |
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Present—Not Voting.

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| Avis. | Smith. |
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Absent.

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| Baker of Orange. | Loftin. |
| Baldwin. | McFarlane. |
| Bonham. | Maxwell. |
| Carson. | Merritt. |
| Carter of Hays. | Miller. |
| Culp. | Morgan |
| Davenport. | of Liberty. |
| Davis. | Pinkston. |
| Dielmann. | Robinson. |
| Finlay. | Russell of Trinity. |
| Frnka. | Simpson. |
| Hardin of Erath. | Stiernberg. |
| Hardin | Turner. |
| of Kaufman. | Vaughan. |
| Henderson | Wells. |
| of McLennan. | Wessels. |
| Hughes. | Williamson. |
| Jacks. | Wilmans. |
| Johnson. | Wilson. |
| Lackey. | Winfree. |

Absent—Excused.

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| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

The Speaker then laid Senate bill No. 92 before the House on its third reading and final passage.

The bill was read third time.

Mr. Green offered the following amendment to the bill:

Amend Senate bill No. 92 by striking out all of Section 1 beginning with the words "to pay various and sundry parties, etc.," and including the figures "\$439,946.50."

Mr. Moore moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment, it was lost.

Senate bill No. 92 was then finally passed by the following vote:

Yeas—79.

| | |
|----------|-------------|
| Abney. | Bell. |
| Amsler. | Bobbitt. |
| Arnold. | Burmeister. |
| Beasley. | Cable. |

| | |
|----------------------------|--------------------------|
| Carpenter of Dallas. | Melson. |
| Carpenter of Matagorda. | Montgomery. |
| Carson. | Moore. |
| Chitwood. | Morgan of Robertson. |
| Coffee. | Patman. |
| Covey. | Perdue. |
| Cowen. | Pool. |
| Dinkle. | Pope. |
| Dodd. | Potter. |
| Downs. | Price. |
| Driggers. | Quaid. |
| Duffey. | Quinn. |
| Dunlap. | Rice. |
| Dunn. | Rogers. |
| Durham. | Rowland. |
| Edwards. | Russell of Callahan. |
| Faubion. | Sackett. |
| Fields. | Sanford. |
| Fugler. | Satterwhite. |
| Gipson. | Shearer. |
| Greer. | Shires. |
| Hardin of Erath. | Sparkman. |
| Harris. | Stell. |
| Henderson of Marion. | Stewart of Edwards. |
| Houston. | Stewart of Galveston. |
| Howeth. | Stewart of Jasper. |
| Hull. | Stewart of Reeves. |
| Irwin. | Strickland. |
| Jennings. | Stroder. |
| Lane. | Teer. |
| LeMaster. | Thrasher. |
| LeStourgeon. | Wallace. |
| McBride. | Wells. |
| McDaniel. | Westbrook. |
| McNatt. | Young. |
| Mathes. | |

Nays—11.

| | |
|-------------|-----------|
| Barker. | Looney. |
| Barrett. | Martin. |
| Crawford. | Purl. |
| Harrington. | Sweet. |
| Laird. | Thompson. |
| Loftin. | |

Present—Not Voting.

| | |
|-----------------|------------|
| Mr. Speaker. | Hendricks. |
| Avis. | Jones. |
| Baker of Milam. | Lewis. |
| Bird. | Pate. |
| Bryant. | Patterson. |
| Collins. | Simpson. |
| DeBerry. | Smith. |
| Green. | Stevens. |

Absent.

| | |
|------------------|-----------------------|
| Baker of Orange. | Dielmann. |
| Baldwin. | Finlay. |
| Bonham. | Frnka. |
| Carter of Hays. | Hardin of Kaufman. |
| Culp. | Henderson |
| Davenport. | of McLennan. |
| Davis. | |

| | |
|--------------------|---------------------|
| Hughes. | Pinkston. |
| Jacks. | Robinson. |
| Johnson. | Russell of Trinity. |
| Kemble. | Stiernberg. |
| Lackey. | Turner. |
| McDonald. | Vaughan. |
| McFarlane. | Wessels. |
| McKean. | Williamson. |
| Maxwell. | Wilmons. |
| Merritt. | Wilson. |
| Miller. | Winfree. |
| Morgan of Liberty. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

On motion of Mr. Gipson, the call of the House was extended until 11 o'clock p. m. today.

(Mr. Pope in the chair.)

HOUSE BILL NO. 172 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 172, A bill to be entitled "An Act creating the Parks Independent School District in Stephens county, Texas; defining its boundaries; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—102.

| | |
|-----------------|----------------------------|
| Abney. | Bobbitt. |
| Amsler. | Bryant. |
| Arnold. | Burmeister. |
| Avis. | Cable. |
| Baker of Milam. | Carpenter of Dallas. |
| Barker. | Carpenter of Matagorda. |
| Barrett. | Carson. |
| Beasley. | Chitwood. |
| Bell. | |
| Bird. | |

| | |
|------------------|--------------------|
| Coffee. | Montgomery. |
| Collins. | Moore. |
| Covey. | Morgan |
| Cowen. | of Robertson. |
| Crawford. | Pate. |
| DeBerry. | Patman. |
| Dinkle. | Patterson. |
| Dodd. | Perdue. |
| Downs. | Pool. |
| Duffey. | Pope. |
| Dunlap. | Potter. |
| Dunn. | Price. |
| Durham. | Purl. |
| Edwards. | Quaid. |
| Faubion. | Quinn. |
| Fields. | Rogers. |
| Fugler. | Rowland. |
| Gipson. | Russell |
| Greer. | of Callahan. |
| Hardin of Erath. | Sackett. |
| Harrington. | Sanford. |
| Harris. | Satterwhite. |
| Henderson | Shearer. |
| of Marion. | Shires. |
| Houston. | Simpson. |
| Howeth. | Sparkman. |
| Hull. | Stell. |
| Irwin. | Stevens. |
| Jennings. | Stewart |
| Johnson. | of Edwards. |
| Jones. | Stewart |
| Laird. | of Galveston. |
| Lane. | Stewart of Jasper. |
| LeMaster. | Stewart of Reeves. |
| LeSturgeon. | Strickland. |
| Lewis. | Stroder. |
| Loftin. | Sweet. |
| Looney. | Teer. |
| McBride. | Thompson. |
| McDonald. | Thrasher. |
| McKean. | Wallace. |
| McNatt. | Wells. |
| Martin. | Westbrook. |
| Mathes. | Young. |
| Melson. | |

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Lackey. |
| Baldwin. | McDaniel. |
| Bonham. | McFarlane. |
| Carter of Hays. | Maxwell. |
| Culp. | Merritt. |
| Davenport. | Miller. |
| Davis. | Morgan of Liberty. |
| Dielmann. | Pinkston. |
| Driggers. | Rice. |
| Finlay. | Robinson. |
| Frnka. | Russell of Trinity. |
| Green. | Smith. |
| Hardin | Stiernberg. |
| of Kaufmar. | Turner. |
| Henderson | Vaughan. |
| of McLennan. | Wessels. |
| Hendricks. | Williamson. |
| Hughes. | Wilmons. |
| Jacks. | Wilson. |
| Kemble. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

HOUSE BILL NO. 180 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 180, A bill to be entitled "An Act taking certain territory from Common School District No. 22 in Hall county and transferring the same to Common School District No. 6 in Hall county; providing for an election at which the qualified tax paying voters of said Common School District No. 6 as thus enlarged may determine whether it shall assume and be taxed to pay the pro rata portion of the taxes which the said added territory may be subject to on account of any outstanding schoolhouse bond issues previously made by said district No. 22; and whether the property in said Common School District No. 6, as enlarged, shall be subject to any special school taxes previously voted by said district; and whether the property of such district as so enlarged shall be subject to taxes for the support of any previous bond issue by said Common School District No. 6; providing for the defining of the boundary lines of said district as thus enlarged; specifying the jurisdiction which the county board of trustees shall have with respect to the boundaries of the territory of such enlarged district, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—102.

| | |
|-----------------|-----------|
| Abney. | Carson. |
| Amsler. | Chitwood. |
| Arnold. | Coffee. |
| Avis. | Collins. |
| Baker of Milam. | Covey. |
| Barker. | Cowen. |
| Barrett. | Crawford. |
| Beasley. | DeBerry. |
| Bell. | Dinkle. |
| Bird. | Dodd. |
| Bobbitt. | Downs. |
| Bryant. | Driggers. |
| Burmeister. | Duffey. |
| Cable. | Dunlap. |
| Carpenter | Dunn. |
| of Dallas. | Durham. |
| Carpenter | Edwards. |
| of Matagorda. | Faubion. |

| | |
|------------------|--------------------|
| Fields. | Pool. |
| Fugler. | Pope. |
| Gipson. | Potter. |
| Greer. | Purl. |
| Hardin of Erath. | Quaid. |
| Harrington. | Quinn. |
| Harris. | Rice. |
| Houston. | Rogers. |
| Howeth. | Rowland. |
| Irwin. | Russell |
| Jennings. | of Callahan. |
| Johnson. | Sackett. |
| Jones. | Sanford. |
| Laird. | Satterwhite. |
| Lane. | Shearer. |
| LeMaster. | Shires. |
| LeStourgeon. | Simpson. |
| Lewis. | Smith. |
| Loftin. | Sparkman. |
| Looney. | Stell. |
| McBride. | Stevens. |
| McDaniel. | Stewart |
| McDonald. | of Edwards. |
| McNatt. | Stewart |
| Martin. | of Galveston. |
| Mathes. | Stewart of Jasper. |
| Melson. | Stewart of Reeves. |
| Montgomery. | Strickland. |
| Moore. | Stroder. |
| Morgan | Sweet. |
| of Liberty. | Teer. |
| Morgan | Thompson. |
| of Robertson. | Thrasher. |
| Pate. | Wallace. |
| Patman. | Wells. |
| Patterson. | Westbrook. |
| Perdue. | Young. |

Present—Not Voting.

Hendricks.

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Kemble. |
| Baldwin. | Lackey. |
| Bonham. | McFarlane. |
| Carter of Hays. | McKean. |
| Culp. | Maxwell. |
| Davenport. | Merritt. |
| Davis. | Miller. |
| Dielmann. | Pinkston. |
| Finlay. | Price. |
| Frnka. | Robinson. |
| Green. | Russell of Trinity. |
| Hardin | Stiernberg. |
| of Kaufman. | Turner. |
| Henderson | Vaughan. |
| of Marion. | Wessels. |
| Henderson | Williamson. |
| of McLennan. | Wilmans. |
| Hughes. | Wilson. |
| Hull. | Winfree. |
| Jacks. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

HOUSE BILL NO. 199 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 199, A bill to be entitled "An Act creating and incorporating the Quitaque Independent School District of Briscoe county, Texas, for free school purposes only, defining its boundaries, vesting it with all the rights, powers, duties and privileges of independent school districts under the general laws of Texas pertaining thereto; providing for a board of trustees, raising of revenue by taxation, issuing bonds and maintaining public free schools therein, vesting all lands, buildings and all other property now owned and held for free school purposes by Quitaque Common School District, in the Quitaque Independent School District; providing that all outstanding indebtedness, whether bonded or otherwise, of the Quitaque Common School District, shall be validated and held a valid obligation against the Quitaque Independent School District, declaring valid a maintenance and bond tax heretofore voted by said Quitaque School District, and repealing all other acts and laws in conflict herewith."

The bill was read third time and was passed by the following vote:

Yeas—102.

| | |
|-----------------|------------------|
| Abney. | Duffey. |
| Amsler. | Dunlap. |
| Arnold. | Dunn. |
| Baker of Milam. | Durham. |
| Barker. | Edwards. |
| Barrett. | Faubion. |
| Beasley. | Fields. |
| Bell. | Fugler. |
| Bird. | Gipson. |
| Bobbitt. | Green. |
| Bryant. | Greer. |
| Burmeister. | Hardin of Erath. |
| Cable. | Harrington. |
| Carpenter | Harris. |
| of Dallas. | Henderson |
| Carpenter | of Marion. |
| of Matagorda. | Hendricks. |
| Carson. | Howeth. |
| Chitwood. | Hull. |
| Coffee. | Irwin. |
| Collins. | Jennings. |
| Covey. | Johnson. |
| Cowen. | Jones. |
| Crawford. | Laird. |
| DeBerry. | Lane. |
| Dinkle. | LeStourgeon. |
| Dodd. | Lewis. |
| Downs. | Loftin. |
| Driggers. | Looney. |

| | |
|---------------|--------------------|
| McBrida. | Russell |
| McDaniel. | of Callahan. |
| McDonald. | Sackett. |
| McKean. | Sanford. |
| McNatt. | Satterwhite. |
| Martin. | Shearer. |
| Melson. | Shires. |
| Montgomery. | Simpson. |
| Moore. | Smith. |
| Morgan | Stell. |
| of Liberty. | Stevens. |
| Morgan | Stewart |
| of Robertson. | of Edwards. |
| Pate. | Stewart |
| Patman. | of Galveston. |
| Patterson. | Stewart of Jasper. |
| Perdue. | Stewart of Reeves. |
| Pool. | Strickland. |
| Pope. | Stroder. |
| Potter. | Sweet. |
| Purl. | Teer. |
| Quaid. | Thompson. |
| Quinn. | Thrasher. |
| Rice. | Wallace. |
| Rogers. | Wells. |
| Rowland. | Westbrook. |
| | Young. |

Absent.

| | |
|------------------|---------------------|
| Avis. | LeMaster. |
| Baker of Orange. | McFarlane. |
| Baldwin. | Mathes. |
| Bonham. | Maxwell. |
| Carter of Hays. | Merritt. |
| Culp. | Miller. |
| Davenport. | Pinkston. |
| Davis. | Price. |
| Dielmann. | Robinson. |
| Finlay. | Russell of Trinity. |
| Frnka. | Sparkman. |
| Hardin | Stiernberg. |
| of Kaufman. | Turner. |
| Henderson | Vaughan. |
| of McLennan. | Wessels. |
| Houston. | Williamson. |
| Hughes. | Wilmans. |
| Jacks. | Wilson. |
| Kemble. | Winfree. |
| Lackey. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

HOUSE BILL NO. 206 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 206, A bill to be entitled "An Act creating the Taylor Independent School District in Swisher county, Texas; defining its boundaries and authorizing said district to add territory; providing for a board of trustees in said

district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts, and naming of its first board of trustees and for the election of their successors; investing said district with all the property rights and the assumption of all obligations of the Taylor Common School District No. 19; providing for the appointment of a board of equalization and tax assessor and collector for said district, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—104.

| | |
|------------------|---------------|
| Abney. | Johnson. |
| Amsler. | Jones. |
| Arnold. | Laird. |
| Avis. | Lane. |
| Baker of Milam. | LeMaster. |
| Barker. | LeSturgeon. |
| Barrett. | Lewis. |
| Beasley. | Loftin. |
| Bell. | Looney. |
| Bird. | McBride. |
| Bobbitt. | McDaniel. |
| Burmeister. | McDonald. |
| Cable. | McKean. |
| Carpenter | Martin. |
| of Matagorda. | Mathes. |
| Carson. | Melson. |
| Chitwood. | Montgomery. |
| Coffee. | Moore. |
| Collins. | Morgan |
| Covey. | of Liberty. |
| Cowen. | Morgan |
| Crawford. | of Robertson. |
| DeBerry. | Pate. |
| Dinkle. | Patman. |
| Dodd. | Patterson. |
| Downs. | Perdue. |
| Duffey. | Pool. |
| Dunlap. | Pope. |
| Dunn. | Potter. |
| Durham. | Price. |
| Edwards. | Purl. |
| Faubion. | Quaid. |
| Fields. | Quinn. |
| Fugler. | Rice. |
| Gipson. | Rogers. |
| Green. | Rowland. |
| Greer. | Russell |
| Hardin of Erath. | of Callahan. |
| Harrington. | Sackett. |
| Harris. | Sanford. |
| Henderson | Satterwhite. |
| of Marion. | Shearer. |
| Hendricks. | Shires. |
| Howeth. | Simpson. |
| Hull. | Smith. |
| Irwin. | Sparkman. |
| Jennings. | Stell. |

Stevens. Sweet.
Stewart Teer.
of Edwards. Thompson.
Stewart Thrasher.
of Galveston. Wallace.
Stewart of Jasper. Wells.
Stewart of Reeves. Westbrook.
Strickland. Young.
Stroder.

Absent.

Baker of Orange. Jacks.
Baldwin. Kemble.
Bonham. Lackey.
Bryant. McFarlane.
Carpenter McNatt.
of Dallas. Maxwell.
Carter of Hays. Merritt.
Culp. Miller.
Davenport. Pinkston.
Davis. Robinsor.
Dielmann. Russell of Trinity.
Driggers. Stiernberg.
Finlay. Turner.
Frnka. Vaughan.
Hardin Wessels.
of Kaufman. Williamson.
Henderson Wilmans.
of McLennan. Wilson.
Houston. Winfree.
Hughes.

Absent—Excused.

Atkinson. Lusk.
Blount. Merriman.
Carter of Coke. Storey.
Lamb.

HOUSE BILL NO. 216 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 216, A bill to be entitled "An Act extending the boundary of and adding territory to Happy Independent School District in Randall and Swisher counties as heretofore created by Chapter 23 of the Acts of the Thirty-fourth Legislature, as amended by Chapter 2 of the Acts of the First Called Session of the Thirty-fourth Legislature; defining the boundaries of said district as here extended; continuing the present board of trustees of said district in office for the remainder of their respective terms and until their successors shall have been duly elected and qualified; providing for an election to adjust the territory added to such district, and taxes which may now be levied upon the said independent school district of the pro rata of the taxes payable upon the property contained in such added territory on account of any

outstanding bond issues which may exist against such territory, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—103.

Abney. Loftin.
Amsler. Looney.
Arnold. McBride.
Avis. McDaniel.
Baker of Milam. McDonald.
Barker. McKean.
Barrett. McNatt.
Beasley. Martin.
Bell. Mathes.
Bird. Melson.
Bobbitt. Montgomery.
Bryant. Moore.
Burmeister. Morgan
Cable. of Liberty.
Carpenter Morgan
of Dallas. of Robertson.
Carpenter Pate.
of Matagorda. Patman.
Chitwood. Patterson.
Coffee. Perdue.
Collins. Pool.
Covey. Pope.
Cowen. Potter.
Crawford. Price.
DeBerry. Purl.
Dinkle. Quaid.
Dodd. Quinn.
Downs. Rice.
Duffey. Rogers.
Dunlap. Rowland.
Dunn. Russell
Durham. of Callahan.
Edwards. Sackett.
Faubion. Sanford.
Fields. Satterwhite.
Fugler. Shearer.
Gipson. Shires.
Green. Simpson.
Greer. Smith.
Hardin of Erath. Sparkman.
Harrington. Stell.
Harris. Stevens.
Henderson Stewart
of Marion. of Edwards.
Hendricks. Stewart
Houston. of Galveston.
Howeth. Stewart of Jasper.
Hull. Stewart of Reeves.
Irwin. Strickland.
Jennings. Stroder.
Johnson. Sweet.
Jones. Teer.
Laird. Thompson.
LeMaster. Thrasher.
LeSturgeon. Wallace.
Lewis. Young.

Nays—1.

Westbrook.

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | Lackey. |
| Baldwin. | Lane. |
| Bonham. | McFarlane. |
| Carson. | Maxwell. |
| Carter of Hays. | Merritt. |
| Culp. | Miller. |
| Davenport. | Pinkston. |
| Davis. | Robinson. |
| Dielmann. | Russell of Trinity. |
| Driggers. | Stiernberg. |
| Finlay. | Turner. |
| Frnka. | Vaughan. |
| Hardin. | Wells. |
| of Kaufman. | Wessels. |
| Henderson. | Williamson. |
| of McLennan. | Wilmans. |
| Hughes. | Wilson. |
| Jacks. | Winfree. |
| Kemble. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

HOUSE BILL NO. 223 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 223, A bill to be entitled "An Act creating and incorporating the Grassland Independent School District in Lynn county, Texas, out of territory now comprising the Grassland Common School District No. 21 of Lynn county, as heretofore created by the county board of school trustees of said county; defining boundary thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Grassland Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 21, of Lynn county, validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of

Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions hereof, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—101.

| | |
|------------------|--------------------|
| Abney. | Lewis. |
| Amsler. | Loftin. |
| Arnold. | Looney. |
| Avis. | McBride. |
| Baker of Milam. | McDaniel. |
| Barker. | McDonald. |
| Barrett. | McKean. |
| Beasley. | McNatt. |
| Bell. | Martin. |
| Bird. | Mathes. |
| Bobbitt. | Melson. |
| Bryant. | Montgomery. |
| Burmeister. | Moore. |
| Cable. | Morgan |
| Carpenter | of Liberty. |
| of Dallas. | Morgan |
| Carpenter | of Robertson. |
| of Matagorda. | Patman. |
| Carson. | Perdue. |
| Chitwood. | Pool. |
| Coffee. | Pope. |
| Collins. | Potter. |
| Covey. | Price. |
| Cowen. | Purl. |
| Crawford. | Quinn. |
| DeBerry. | Rice. |
| Dinkle. | Rogers. |
| Dodd. | Rowland. |
| Downs. | Russell |
| Driggers. | of Callahan. |
| Duffey. | Sackett. |
| Dunlap. | Sanford. |
| Dunn. | Satterwhite. |
| Durham. | Shearer. |
| Edwards. | Shires. |
| Faubion. | Simpson. |
| Fields. | Sparkman. |
| Fugler. | Stell. |
| Gipson. | Stevens. |
| Green. | Stewart |
| Greer. | of Edwards. |
| Hardin of Erath. | Stewart |
| Harington. | of Galveston. |
| Harris. | Stewart of Jasper. |
| Henderson | Stewart of Reeves. |
| of Marion. | Strickland. |
| Hendricks. | Stroder. |
| Houston. | Sweet. |
| Howeth. | Teer. |
| Hull. | Thompson. |
| Irwin. | Thrasher. |
| Jennings. | Wallace. |
| Laird. | Westbrook. |
| LeMaster. | Young. |
| LeStourgeon. | |

Absent.

| | |
|------------------|---------------------|
| Baker of Orange. | McFarlane. |
| Baldwin. | Maxwell. |
| Bonham. | Merritt. |
| Carter of Hays. | Miller. |
| Culp. | Pate. |
| Davenport. | Patterson. |
| Davis. | Pinkston. |
| Dielmann. | Quaid. |
| Finlay. | Robinson. |
| Frnka. | Russell of Trinity. |
| Hardin | Smith. |
| of Kaufman. | Stiernberg. |
| Henderson | Turner. |
| of McLennan. | Vaughan. |
| Hughes. | Wells. |
| Jacks. | Wessels. |
| Johnson. | Williamson. |
| Jones. | Wilmans. |
| Kemble. | Wilson. |
| Lackey. | Winfree. |
| Lane. | |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

SENATE BILL NO. 29 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 29, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the general revenues of the State government as named herein for the balance of the fiscal year ending August 31, 1923, and declaring an emergency."

The bill was read second time.

Mr. Henderson of Marion offered the following amendment to the bill:

Amend Senate bill No. 29 by inserting after line 10, page 4, the following:

"For freight and handling charges on surplus war equipment destined for use in maintaining the State highway system, to be available the balance of the present fiscal year and payable out of the State highway funds, \$40,000."

The amendment was adopted.

Mr. Moore offered the following amendment to the bill:

Amend Senate bill No. 29 by adding between lines 36 and 37, "Swann-Schulle Furniture Co., desks and chairs bought for House of Representatives, \$1000."

The amendment was adopted.

Mr. Morgan of Robertson offered the following amendment to the bill:

Amend Senate bill No. 29, page 2, by striking out line 1.

On motion of Mr. Teer, the amendment was tabled.

Mr. Dodd offered the following amendment to the bill:

Amend Senate bill No. 29 by adding between lines 17 and 18, page 2, the following: "To pay salary of judge of the court at law at Texarkana for June, July and August, 1923, \$750."

The amendment was adopted.

Mr. Jennings offered the following amendment to the bill:

Amend Senate bill No. 29 by inserting on page 2, between lines 25 and 26, the following: "To pay salaries of special Justices of Supreme Court, \$2000."

The amendment was adopted.

Mr. Moore moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate bill No. 29 was then passed to third reading.

SENATE BILL NO. 29 ON THIRD READING.

Mr. Quaid moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—90.

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| Mr. Speaker. | Green. |
| Amsler. | Greer. |
| Arnold. | Hardin of Erath. |
| Baker of Milam. | Harrington. |
| Barrett. | Harris. |
| Beasley. | Henderson |
| Bell. | of Marion. |
| Bobbitt. | Houston. |
| Burmeister. | Hull. |
| Cable. | Irwin. |
| Carpenter | Jennings. |
| of Dallas. | Johnson. |
| Carpenter | Jones. |
| of Matagorda. | Kemble. |
| Chitwood. | Lane. |
| Coffee. | LeMaster. |
| Collins. | LeSturgeon. |
| Covey. | Lewis. |
| Cowen. | Loftin. |
| Crawford. | McBride. |
| DeBerry. | McDaniel. |
| Dinkle. | McDonald. |
| Dodd. | McKean. |
| Driggers. | McNatt. |
| Duffey. | Martin. |
| Dunlap. | Mathes. |
| Edwards. | Melson. |
| Faubion. | Miller. |
| Fields. | Montgomery. |
| Fugler. | Moore. |
| Gipson. | |

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|---------------|--------------------|
| Morgan | Shearer. |
| of Liberty. | Shires. |
| Morgan | Simpson. |
| of Robertson. | Smith. |
| Patman. | Sparkman. |
| Patterson. | Stewart |
| Pool. | of Edwards. |
| Pope. | Stewart |
| Potter. | of Galveston. |
| Price. | Stewart of Jasper. |
| Purl. | Stewart of Reeves. |
| Quaid. | Strickland. |
| Quinn. | Stroder. |
| Rice. | Teer. |
| Russell | Thrasher. |
| of Callahan. | Wallace. |
| Sackett. | Westbrook. |
| Sanford. | Young. |
| Satterwhite. | |

Nays—7.

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| Barker. | Perdue. |
| Finlay. | Stell. |
| Laird. | Wells. |
| Pate. | |

Present—Not Voting.

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| Abney. | Howeth. |
| Avis. | Rogers. |
| Bird. | Rowland. |
| Bryant. | Stevens. |
| Downs. | Thompson. |

Absent.

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| Baker of Orange. | Jacks. |
| Baldwin. | Lackey. |
| Bonham. | Looney. |
| Carson. | McFarlane. |
| Carter of Hays. | Maxwell. |
| Culp. | Merritt. |
| Davenport. | Pinkston. |
| Davis. | Robinson. |
| Dielmann. | Russell of Trinity. |
| Dunn. | Stiernberg. |
| Durham. | Sweet. |
| Frnka. | Turner. |
| Hardin | Vaughan. |
| of Kaufman. | Wessels. |
| Henderson | Williamson. |
| of McLennan. | Wilmans. |
| Hendricks. | Wilson. |
| Hughes. | Winfree. |

Absent—Excused.

| | |
|-----------------|-----------|
| Atkinson. | Lusk. |
| Blount. | Merriman. |
| Carter of Coke. | Storey. |
| Lamb. | |

The Speaker then laid Senate bill No. 29 before the House on its third reading and final passage.

The bill was read third time.

Mr. Quinn moved that the call of the House be extended to 11:30 o'clock p. m. today.

The motion was lost.

Mr. Burmeister moved that the call of the House be extended until 11:20 o'clock p. m. today.

The motion prevailed.

On motion of Mr. Lewis, the Sergeant-at-Arms was instructed to bring in all absentees within the Capitol.

Mr. Rice offered the following amendment to the bill:

Amnd Senate bill No. 29 by adding between lines 3 and 4, page 2, a new item: "To pay Mrs. M. E. Wheeler, assistant guide in charge of paintings, \$1000."

The amendment was adopted.

Mr. Moore moved the previous question on the passage of the bill, and the main question was ordered.

Senate bill No. 29 was then finally passed.

(Speaker in the chair.)

SENATE BILL NO. 62 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 62, A bill to be entitled "An Act authorizing cities having more than five thousand inhabitants to specially illuminate districts thereof, and to construct, install, equip and maintain a system of artificial lights as a local public improvement; providing for abutting property owners desiring such public improvement to petition for same or that same may be done by the governing authorities of the city without such petition; providing for the cost of such local public improvement to be paid by the abutting property owners by assessment in an amount not to exceed the benefits received by the property; providing for a lien against the property and a personal claim against the owner and the issuance of assignable certificates, payable in installments with interest, against the property owner for the amount of the assessment; providing for the letting of the contract for such public improvement by the city and providing for a hearing for the property owners to be heard and make objections; providing for the enforcement of the assesment by suit against the property owners; providing for suit by the property owner to attack the validity of the proceedings hereunder; providing for the system after being completed becoming the property of the city to be maintained and kept up at its expense, and providing for an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 69 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 69, A bill to be entitled "An Act relating to certain permits for the Game, Fish and Oyster Commission."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 71 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 71, A bill to be entitled "An Act authorizing independent school districts to employ their own tax assessors and to have their taxes collected by the county tax collector without being required to have their assessments made at the same valuations that are used for State and county taxation, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 73 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 73, A bill to be entitled "An Act relating to State parks."

The bill was read second time.

Mr. Stewart of Reeves offered the following (committee) amendments to the bill:

Amend Senate bill No. 73 by adding after the word "land" in last line of Section 2, "subject to the approval of the Legislature."

Amend Senate bill No. 73 by adding at the end of Section 3 the following:

"The said Parks Board is especially directed to inspect the Davis Mountains in Jeff Davis county, to determine its feasibility as a park that might be made a national park. If said board should conclude that the Davis Mountains area is feasible as a great park, they are hereby authorized to outline the said park; take options or easements and outline a policy to finance the said Davis Mountain area as a park. Any options, easements or tentative deals that are made in regard to said Davis Mountain Park

shall be subject to the action of the Legislature and shall not be binding on the State of Texas until the Legislature shall approve of the action of said Parks Board."

The amendments were severally adopted.

Senate bill No. 73 was then passed to third reading.

Mr. Burmeister moved that the call of the House be extended to 11:45 o'clock p. m. today.

The motion was lost.

Mr. Cowen moved that the House recess to 10 o'clock a. m. tomorrow, and the motion was lost.

Mr. Burmeister moved that the call of the House be extended to 11:35 o'clock p. m. today.

The motion was lost.

SENATE BILL NO. 90 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 90, A bill to be entitled "An Act making available to the Board of Control any moneys which represent any unexpended balance of any appropriation made for support and maintenance of the American Legion Memorial Sanatorium, so that such moneys may be used to pay any necessary expense incident to the carrying out of the lease of said sanatorium to the Federal government, and transferring patients to the institution, and taking care of other patients unable to be transferred, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 91 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 91, A bill to be entitled "An Act creating the Texas Historical Board; defining its powers and duties; fixing the tenure of office of its members, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 98 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 98, A bill to be entitled "An Act to amend an act entitled 'Guardian and Ward.'"

The bill was read second time and was passed to third reading.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Irwin, Senate bills Nos. 63 and 82 were ordered not printed.

On motion of Mr. Hardin of Erath, Senate bill No. 99 was ordered not printed.

MOTION TO TAKE UP HOUSE BILL No. 198.

Mr. Lewis asked unanimous consent of the House to take up, for consideration at this time,

H. B. No. 198, A bill to be entitled "An Act to authorize any county or any political subdivision thereof which has been created or which shall hereafter be created into a reclamation or conservation district, or any district composed of one or more counties which has been created or that may hereafter be created as provided by law, or which has had its taxes remitted by the State for irrigation purposes, or in aid thereof, or for flood control or other reclamation purposes, to enter into a contract with the United States of America for the construction of works for which said district was created, taxes remitted or bonds issued, and declaring an emergency."

The Speaker announced that there was objection.

HOUSE BILL NO. 44 ON SECOND READING.

On motion of Mr. Dodd, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 44, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties, and provide for the salaries of members of said faculty, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. LeSturgeon offered the following amendment to the bill:

Amend House bill No. 44 by making the appropriation retroactive to cover the past ten (10) years.

Amend the bill by adding Geo. Purl,

Lee Satterwhite, I. D. Fairchild, Frank Cowen, J. D. Baker as trustees and teachers with a salary of \$13,500 each per annum and said institution shall be free of the control of the Board of Control.

Mr. Quinn moved the previous question on the pending amendment and the motion was not seconded.

Question recurring on the amendment, it was lost.

House bill No. 44 was then passed to engrossment.

Mr. Purl moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 236, WITH SENATE AMENDMENTS.

Mr. Carpenter of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 236, A bill to be entitled "An Act authorizing steam or electric railway companies, street railway companies, interurban railway companies and other chartered transportation companies, or persons or associations of persons operating the same, or the receivers or lessees thereof, or their officers, agents or employees to issue free transportation to ministers of religion in this State when making intrastate trips; defining ministers of religion, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Carpenter of Dallas, the House concurred in the Senate amendments.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 109, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax on refining, compounding, manufacturing, blending or preparing gasoline or gasoline substitutes from petroleum or natural gas measured by intrastate sales; and levying a State occupation tax on

intrastate selling of gasoline or gasoline substitutes brought into the State from outside the State based on the first intrastate sale thereof after the same is brought into the State; requiring reports to be made and records to be kept and permitting inspections thereof by proper public officials, and prescribing penalties for failure to comply with the act in order to facilitate collection of such occupation taxes; providing for interest on delinquent taxes and penalties; making disposition of the taxes after collected; providing for suits for taxes, penalties and interest and compensation of officers bringing same; defining gasoline; declaring the legislative intent as to parts of the act being held invalid; repealing the present gasoline occupation tax law; defining 'person' as used in this act, and declaring an emergency," with amendments.

Respectfully,
RICHARD BLALOCK,
 Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
 Austin, Texas, May 12, 1923.
 Hon. R. E. Seagler, Speaker of the
 House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has requested the House to return House bill No. 60 to the Senate for correction.

Respectfully,
RICHARD BLALOCK,
 Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
 Austin, Texas, May 12, 1923.
 Hon. R. E. Seagler, Speaker of the
 House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

H. B. No. 78, A bill to be entitled "An Act creating and defining the Ringgold Independent School District, Montague county, Texas, out of the territory known as Ringgold Independent School District in Montague county, Texas, for free school purposes only, and defining its boundaries; providing for the extension of its boundaries; repealing Chapter 44, House bill No. 540, Local and Special Laws, Thirty-sixth Legislature, passed at its Regular Session; vesting the Ringgold Independent School District, Montague county,

Texas, with the exclusive control of its public free schools, and vesting the title to all property in said district; providing for the present trustees to continue in office for the term to which elected, and conferring upon the board plenary powers; providing for the levying, assessing and collecting of taxes for the maintenance of public free schools in said district; providing authority to appoint a board of equalization in said district, and defining its duties and powers; providing authority for the board of trustees to issue bonds for the purpose of purchasing school buildings, sites, and erecting and equipping school buildings within said district, and to levy taxes therefor; providing means by which the collection of delinquent taxes may be facilitated; providing that the bonds heretofore issued by the Ringgold Independent School District shall be a charge against the district herein created; and that all outstanding indebtedness owing by the said district shall likewise be charged against the district herein created; providing for the repeal of all laws in conflict with any provision hereof, and further providing that if any section or part hereof is at any time declared to be unconstitutional it should not affect the other provisions hereof, and declaring an emergency."

H. B. No. 79, A bill to be entitled "An Act creating the Montague Independent School District in Montague county, Texas; defining its boundaries, including the Montague Independent School District No. 7, divesting Montague Independent School District No. 7 of title to all school property in said district, and vesting the same in the Montague Independent School District and its board of trustees; conferring upon said district and its board of trustees all the right, power, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof, and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act creating, establishing, incorporating Common School District No. 17 in Hidalgo county, Texas, containing a portion of the territory in Hidalgo county, Texas, heretofore embraced in Common School District No. 15; describing the metes and bounds thereof; placing said Common School District No. 17 under the jurisdiction of Hidalgo county; providing for the selection of a board of trustees by the Hidalgo county

board of trustees, to hold office until the next regular election, and providing for the election of trustees thereafter; vesting said district and board of trustees with all the school affairs therein as conferred and imposed by general laws upon common school districts and boards of trustees thereof, organized under the general laws of Texas; vesting the school property situated in said Common School District No. 17 and all uncollected taxes, claims and causes of action, legally or equitably belonging to Common School District No. 15 within the territory embraced herein and validating and confirming same in Common School District No. 17; providing for the assumption by Common School District No. 17 of its pro rata share based upon the value that the lands herein embraced now bear to the aggregate value of all lands formerly comprising Common School District No. 15 of certain bonded indebtedness existing against said Common School District No. 15; providing that the enactment of this law shall not invalidate any local school taxes heretofore voted and now in force in the territory herein incorporated, and ratifying, confirming and adopting as valid and subsisting against this district any such taxes; repealing all laws in conflict herewith; making this act cumulative of the general laws of the State of Texas, and declaring an emergency."

H. B. No. 113, A bill to be entitled "An Act to create the Tarpley Independent School District in Bandera county, Texas; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the provisions of this act, and declaring an emergency."

H. B. No. 116, A bill to be entitled "An Act creating the Rock Springs Independent School District in Edwards county, Texas; defining its metes and bounds, providing a board of trustees therefor, for raising revenue, issuing bonds, vesting it with the rights, powers and duties of districts incorporated for school purposes only under the general laws of the State of Texas; providing for an election to assume the outstanding bonds of the Rock Springs

Common School District, and declaring an emergency."

H. B. No. 132, A bill to be entitled "An Act to incorporate Farmersville Independent School District in Collin county, Texas, for free school purposes only; defining its boundaries; divesting the city of Farmersville of the control of its public free schools and of its school property and vesting the same in said independent school district and its board of trustees; providing that all funds belonging or owing to said city schools inure to the benefit of said independent school district and that all contracts made by the board of trustees of said city schools shall be carried out by the board of trustees of said independent school district, but that said district shall never be liable for any indebtedness of said city; providing for a board of trustees for said district and describing the rights, powers and duties of said independent school district, and declaring an emergency."

H. B. No. 133, A bill to be entitled "An Act to create the Plano Independent School District in Collin county, Texas, including the present Plano Independent School District and the Finger-ring Common School District of said county; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Plano Independent School District shall continue to act as such until their successors are elected as provided herein; divesting the city of Plano of the control of the public schools of the district, as created by this act, and declaring an emergency."

H. B. No. 135, A bill to be entitled "An Act creating the Balmorhea Independent School District in Reeves county, Texas; defining its boundaries, including the present Common School District No. 4; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and provid-

ing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness heretofore voted in La Loma Common School District No. 4; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

H. B. No. 144, A bill to be entitled "An Act creating the Hopewell Independent School District in Smith county, Texas; defining its boundaries, including the present Common School District No. 24; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness heretofore voted in Hopewell Common School District No. 24; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

H. B. No. 139, A bill to be entitled "An Act to amend Section 2 of House bill No. 606 of the Laws passed at the Regular Session of the Thirty-eighth Legislature, 1923, by changing the time and terms of holding court in the Sixty-third Judicial District so that Section 2 of said act shall hereafter read as follows, and declaring an emergency."

H. B. No. 150, A bill to be entitled "An Act creating the Indian Creek Independent School District in Roberts county, Texas, and defining its boundaries; providing for the creation of a board of trustees to manage and control the public free schools within said district; their mode of election and tenure of office; conferring upon said trustees all the rights, powers and privileges and imposing all the duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees; providing for the raising of revenues, issuing bonds, and levying, assessing and collecting taxes, for building and maintaining public free schools in said district; providing for the ap-

pointing of a board of equalization; providing for the filling of vacancies of such board; for the election of superintendents and other employees, and the compensation of the members of said board; for a seal and its use and for the administration of oaths by the president and secretary; for the assessment and collection of taxes, and the regulation of same, for the maturity and for a lien and foreclosure upon the property for taxes; adopting the provisions of existing and hereinafter enacted State laws; providing for all laws in conflict herewith are repealed and that invalidity of any portion hereof shall not impair the remainder of this act."

H. B. No. 165, A bill to be entitled "An Act to validate Simons Common School District No. 7 in Grayson county, Texas, as redefined and re-established by order of the county school trustees of Grayson county, Texas, on February 12, 1923, and Common County Line School District No. 8, as redefined and re-established by an order of the county school trustees of Grayson county, Texas, on February 12, 1923, and by an order of the county school trustees of Collin county, Texas, on February 13, 1923, and declaring an emergency."

H. B. No. 178, A bill to be entitled "An Act creating Herring Hightower County Line Independent School District, embracing therein territory in Parker and Hood counties, defining its boundaries, and its powers and authority, and providing for its organization under the general laws."

H. B. No. 181, A bill to be entitled "An Act validating Common School District No. 3 of Bailey county as defined and attempted to be created by the county board of school trustees of Bailey county on February 14, 1921, and validating all bond issues and special taxes which may have been voted by said district, and providing for an election to adjust all territory therein contained or which may have been added to said district by the said order, to taxes which may have been theretofore levied upon the property of said Common School District No. 3 and for an assumption by said common school district of the pro rata of taxes to which any territory added to said district by said order of February 14, 1921, may be subject by reason of any outstanding bond issue or issues previously voted by any school district or school districts of which such added territory

may have theretofore formed part, and declaring an emergency."

H. B. No. 190, A bill to be entitled "An Act correcting the boundaries of the present Hale Center Independent School District; providing for payment of bonds issued by the present district; limiting area to be furnished free transportation, and declaring an emergency."

H. B. No. 197, A bill to be entitled "An Act amending Section 8 of Chapter 44, Local and Special Laws of the Regular Session of the Thirty-eighth Legislature of the State of Texas, creating the Southland Independent School District in the counties of Garza, Lynn and Lubbock in the State of Texas, so as to change said section of said law to provide for the issuance of bonds for building purposes in said district to bear interest not to exceed 6 per cent per annum, and declaring an emergency."

H. B. No. 205, A bill to be entitled "An Act amending House bill No. 616, enacted into law at the Regular Session of the Thirty-eighth Legislature, by which Union Hill Independent School District in Swisher county was created, so as to increase the territory contained in said district and defining the boundary thereof; defining more fully the powers of said district and the board of trustees; providing for the continuing in office of the trustees of Union Hill Consolidated Common School District in Swisher county as trustees of this, its immediate succeeding district; providing for an election to adjust all territory contained in said district as herein created, which may have been added to this district or to Union Hill Consolidated Common School District, to adjust any school bond taxes or special school taxes theretofore voted by Union Hill Consolidated Common School District, and for the assumption by said Union Hill Independent School District of its pro rata of taxes payable by any added territory on account of any outstanding bond issues existing against school districts of which such added territory may have heretofore formed a part; providing for the adding of additional territory by the trustees of said district, and declaring an emergency."

H. B. No. 213, A bill to be entitled "An Act enlarging Woodson Independent School District of Throckmorton and Stephens counties; defining the boundaries and prescribing the powers thereof; and for the assumption by said district of the bonded indebtedness now

existing against the present Woodson Independent School District and for adjusting the territory of said district as enlarged to such special taxes as may have been voted by the present said district."

H. B. No. 215, A bill to be entitled "An Act validating Common School District No. 11, Bailey county, and declaring an emergency."

H. B. No. 218, A bill to be entitled "An Act creating Westover Independent School District of Baylor county; defining the powers of said district; providing for the organization of said district; providing for the election to determine whether the several outstanding obligations which may exist against the several portions of territory embraced in this district shall be assumed in whole and pro rata by this district and taxes levied upon the property of this district to provide for such indebtedness and the pro rata thereof, and declaring an emergency."

H. B. No. 222, A bill to be entitled "An Act creating and establishing the Lindsey County Independent School District in Lubbock and Hockley counties, Texas; defining its boundaries; providing for the election of board of trustees to manage and control the schools of said district; authorizing said district to issue bonds, and to assume the payment of parts of the outstanding indebtedness against the school district affected by this act; and investing said district with the rights, powers, privileges and duties of independent school districts organized or existing under general laws of the State, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

REQUEST OF SENATE GRANTED.

On motion of Mr. Stewart of Reeves, the request of the Senate that House bill No. 60 be returned for further consideration was granted.

HOUSE BILL NO. 11 WITH SENATE AMENDMENTS.

Mr. Jones called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 11, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes on land; providing compensation for the county attorney and other offi-

cials for service rendered in collecting such taxes; further providing for the employment of a special attorney to assist in collecting such taxes, amending Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature as amended by Section 1 of Chapter 64 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, amending Section 2 of Chapter 147 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature; amending Articles 7688, 7689, 7691, 7692, 7696, 7699; repealing Article 7687 of the Revised Civil Statutes of the State of Texas of 1911, and Section 3, Chapter 147, of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature as amended by Section 2, Chapter 64, of the General Laws of the State of Texas passed by the Second Called Session of the Thirty-sixth Legislature; adding to Chapter 13 of Title 126 of the Revised Statutes of Texas of 1911, a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes; repealing all laws in conflict with the provisions of this act, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Jones moved that the House do not concur in the Senate amendments, and that a Free Conference Committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has requested the House to return House bill No. 222 to the Senate for correction.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Chitwood, the House, at 11:30 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Insurance—Senate bill No. 89.
Game and Fisheries—House bill No. 245; Senate bill No. 69.
State Affairs—Senate bill No. 87.
Public Health—Senate bill No. 61.
Education—Senate bills Nos. 72, 71, 11.
Municipal and Private Corporations—Senate bills Nos. 33, 62.
Common Carriers—House bills Nos. 209, 194; Senate bill No. 80.
Public Lands and Buildings—House bill No. 230; Senate bill No. 73.
Appropriations—Senate bill No. 79.
School Districts—House bills Nos. 240, 239.
Claims and Accounts—Senate bill No. 92.
Banks and Banking—Senate bill No. 82.
Criminal Jurisprudence—House bill No. 196; Senate bill No. 63.

The following standing committees have today filed unfavorable reports on bills as follows:

Criminal Jurisprudence—House bill No. 48.
Municipal and Private Corporations—House bill No. 68.
Education—House bill No. 159.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 223, A bill to be entitled "An Act creating and incorporating the Grassland Independent School District in Lynn county, Texas, out of territory now comprising the Grassland Common School District No. 21 of Lynn county, as heretofore created by the county board of school trustees of said county; defining boundary thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and

collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Grassland Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 21, of Lynn county, validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions hereof, and declaring an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 188, A bill to be entitled "An Act creating the Whiteflat Independent School District in Motley county, Texas; defining the boundaries thereof; vesting the management thereof in a board of seven trustees, providing for their election, and for the organization of the board; vesting said district with all the rights, powers, privileges and duties of a town or village incorporated under the laws of the State for free school purposes only; vesting the board of trustees with the rights, powers, privileges and duties conferred and imposed by the general laws of this State upon trustees of independent school districts incorporated under the general laws of the State of Texas; providing for the appointment of an assessor and collector of taxes and board of equalization; divesting the title to all property heretofore and now vested in Common School District No. 7, Motley county, Texas, out of said district, and vesting same in the board of trustees of Whiteflat Independent School District;

declaring in full force and effect all maintenance tax heretofore voted or bonds heretofore issued by Common School District No. 7, Motley county, Texas, to be in full force and effect in so far as this act might affect them, and declaring an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 172, A bill to be entitled "An Act creating the Parks Independent School District in Stephens county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 206, A bill to be entitled "An Act creating the Taylor Independent School District in Swisher county, Texas; defining its boundaries and authorizing said district to add territory; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts, and naming of its first board of trustees and for the election of their successors; investing said district with all the property rights and the assumption of all obligations of the Taylor

Common School District No. 19; providing for the appointment of a board of equalization and tax assessor and collector for said district, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 180, A bill to be entitled "An Act taking certain territory from Common School District No. 22 in Hall county and transferring the same to Common School District No. 6 in Hall county; providing for an election at which the qualified taxpaying voters of said Common School District No. 6 as thus enlarged may determine whether it shall assume and be taxed to pay the pro rata portion of the taxes which the said added territory may be subject to on account of any outstanding schoolhouse bond issues previously made by said district No. 22; and whether the property in said Common School District No. 6, as enlarged, shall be subject to any special school taxes previously voted by said district; and whether the property of such district as so enlarged shall be subject to taxes for the support of any previous bond issue by said Common School District No. 6; providing for the defining of the boundary lines of said district as thus enlarged; specifying the jurisdiction which the county board of trustees shall have with respect to the boundaries of the territory of such enlarged district, and declaring an emergency,"

And find the same correctly engrossed.
SANFORD, Vice-Chairman.

Committee Room,

Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 67, A bill to be entitled "An Act providing for the supervision and regulation of the transportation of persons and property for compensation or hire over any public highway by motor propelled vehicles; defining auto transportation companies as common

carriers, and providing for the supervision and regulation thereof by the Railroad Commission of Texas; providing for the issuance of certificates of convenience and necessity for the operation of auto transportation companies; providing for the furnishing of liability insurance or a surety bond by auto transportation companies; defining the duties and powers of the Railroad Commission of Texas over auto transportation companies; authorizing the Railroad Commission of Texas to make rules and regulations for governing auto transportation companies, to fix rates, supervise service, make investigation of books, accounts, and the doing of all other matters and things pertaining to auto transportation that may be necessary in the matter of regulation and control; authorizing the Railroad Commission of Texas to punish for contempt for the violation of its rules and regulations; providing a penalty for the violation of the law and the rules and regulations of the Railroad Commission of Texas; providing for the collection of an annual fee to defray the cost of administering and enforcing this law, and the payment of such employes and all other expense out of the funds derived from fees and fines, and providing for payment in event of deficit, and declaring an emergency,"

And find the same correctly engrossed
SANFORD, Vice-Chairman.

Committee Room,

Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 220, A bill to be entitled "An Act to amend Chapter 10 of Title 48 of the Revised Civil Statutes of 1911, relating to the powers and duties of the State Board of Education with reference to the purchase of bonds for the account of the State permanent school fund by adding to said chapter immediately after Article 2740 a new article to be known as Article 2740a, and validating the purchase of bonds by the State Board of Education purchased on deferred payments of the purchase price as of the time of the payment of the first installment thereon, and prescribing certain duties of the State Board of Education, the State Treasurer and the State Comptroller of Public Accounts with reference to allowing credits on

certain interest coupons by reason of deferred payments of the purchase price thereof and limiting the provisions of this act to bonds purchased subsequent to September 1, 1920; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
SANFORD, Vice-Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 199, A bill to be entitled "An Act creating and incorporating the Quitaque Independent School District of Briscoe county, Texas, for free school purposes only, defining its boundaries, vesting it with all the rights, powers, duties and privileges of independent school districts under the general laws of Texas pertaining thereto; providing for a board of trustees, raising of revenue by taxation, issuing bonds and maintaining public free schools therein, vesting all lands, buildings and all other property now owned and held for free school purposes by Quitaque Common School District, in the Quitaque Independent School District; providing that all outstanding indebtedness, whether bonded or otherwise of the Quitaque Common School District, shall be validated and held a valid obligation against the Quitaque Independent School District, declaring valid a maintenance and bond tax heretofore voted by said Quitaque School District, and repealing all other acts and laws in conflict herewith,"

And find the same correctly engrossed.
SANFORD, Vice-Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 23, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars per year, or so much thereof as may be necessary, for the

next two fiscal years ending August 31, 1924, and August 31, 1925, respectively; allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for the granting of such aid, and providing no school having over five hundred scholastics shall receive such aid; giving preference to all school districts in which the available school fund together with the local district tax will not maintain the school six months in the year; limiting the amount which any school may receive; providing for aid for schools where extraordinary conditions prevent school from meeting stated requirements; providing assistance for such rural schools as will afford instruction and demonstration in home and farm vocations, according to plans approved by the State Department of Education; providing assistance for small districts which effect consolidation during two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith,"

And find the same correctly engrossed.
SANFORD, Vice-Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 244, A bill to be entitled "An Act creating Ricardo Independent School District No. 1 in Kleberg county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the Ricardo Independent School District No. 1 as heretofore existing and Common School District No. 8 in Kleberg county, Texas, of the control of the public free schools within the territory included within Ricardo Independent School District No. 1, as herein created, and divesting the said Ricardo Independent School District No.

1 as heretofore existing and the said Common School District No. 8 of the title to all property now held and used for public free school purposes and vesting the title to all said property in the board of trustees of Ricardo Independent School District No. 1, as herein created; conferring upon the board of trustees of Ricardo Independent School District No. 1 as herein created all the powers, privileges and duties conferred upon the trustees of independent school districts created under the general laws; providing that the board of trustees of Ricardo Independent School District No. 1 as heretofore existing shall constitute the board of trustees of Ricardo Independent School District No. 1 as herein created; validating all bonds, or other evidences of indebtedness heretofore issued on behalf of Ricardo Independent School District No. 1 as heretofore existing, and all taxes heretofore levied on behalf of said district, and declaring an emergency."

And find the same correctly engrossed.
SANFORD, Vice-Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 95, A bill to be entitled "An Act to define what shall constitute a unit of weight or measure of all commodities purchased or sold by length, weight or measure; providing for the sale of commodities by State standards of weight or measure; providing for the sale of hay by weight; establishing a standard for bread sold in loaves; providing penalties for the enforcement of this law; repealing certain statutes, and declaring an emergency,"

And find the same correctly engrossed.
SANFORD, Vice-Chairman.

Committee Room,
Austin, Texas, May 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 225, A bill to be entitled "An Act amending House bill No. 474, passed at the Regular Session of the Thirty-eighth Legislature so as to add to Hulver Common School District No.

5 in Hall county Section No. — of Block 'A' of A., B. & M. lands; detaching the said section from Estelline Independent School District in Hall county, and providing that the adjustment of said school districts and their finances and taxes unto such transfer shall be included in the election provided for in said act of the Thirty-eighth Legislature, and declaring an emergency."

And find the same correctly engrossed.
SANFORD, Vice-Chairman.

Committee Room,
Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 237, A bill to be entitled "An Act to amend Chapter 12, Acts Thirty-seventh Legislature, First Called Session, 1921, same being an act entitled 'An Act creating the Jacksonville Independent School District in Cherokee county,' by amending Section 1 thereof, redefining the boundaries of said district; continuing the present board of trustees in office; validating all tax levies heretofore made, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 160, A bill to be entitled "An Act to repeal an act passed at the Regular Session of the Thirty-eighth Legislature, being House bill No. 578, Chapter 46, of the Special Laws of the Thirty-eighth Legislature of the State of Texas, entitled 'An Act to amend an act passed at the Regular Session of the Thirtieth Legislature, known as House bill No. 470 and approved April 4, 1907, entitled "An Act creating an independent school district, to be known as the Coleman Independent School District, including within its limits the municipal corporation of the town of Coleman, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchas-

ing school sites, and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board," so as to hereafter read as follows, and extending and defining its boundaries, and including within its limits the municipal corporation of the city of Coleman, and to provide for the creating of a board of trustees thereof, and to authorize the board of trustees to levy, assess and collect special taxes, and providing authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay all current expenses for the maintenance and support of said school, declaring valid all issues of bonds heretofore voted, and repealing all laws in conflict herewith in so far as they conflict with this act, and declaring an emergency, reviving former laws, and declaring an emergency."

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 147, A bill to be entitled "An Act to amend Chapter 74, Special Laws, passed at the Regular Session of the Thirty-seventh Legislature, redefining the boundaries of the Hull Independent School District of Liberty county, Texas, providing for a board of trustees to manage and control the public free schools within said district, and investing the said district with the rights, powers, authority, jurisdiction, privileges and duties of a town or village incorporated for free school purposes only under the general laws; locating the high school within said district, etc., and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 240, A bill to be entitled

"An Act to amend Chapter 38 of the Special Laws passed by the Regular Session of the Thirty-eighth Legislature, the same being an act to create the Barksdale Independent School District in Edwards and Real counties, Texas; providing a board of trustees therefor, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the general laws of Texas, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 161, A bill to be entitled "An Act to amend Section 1 of House bill No. 115, enacted by the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, amending and revising the metes and bounds of the Miami Independent School District in Roberts county, adding additional territory thereto, and exempting same from present outstanding bonded indebtedness of said Miami Independent School District, continuing the present trustees in office, validating levies of taxes heretofore made, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 241, A bill to be entitled "An Act to amend Title 5, Article 30, paragraphs 15 and 59, of the Revised Civil Statutes of Texas of 1911, which article provides for judicial districts of the State; and which paragraph 15 defines the Fifteenth Judicial District and determines the date and length of term of such district court in Grayson county; and which paragraph 59 de-

finds the Fifty-ninth Judicial District and determines the date and length of term of such district court in each of the counties of said district, namely: Grayson and Collin counties; and which amendment provides for a change in the terms and time of holding court in each of said judicial districts, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, May 10, 1923

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 211, A bill to be entitled "An Act to create the Roscoe Independent School District in Nolan county, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas for school purposes only; providing that the board of trustees of the present Roscoe Independent School District shall continue to act as such until their successors are elected in accordance with the provisions of this act and the general laws of Texas, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, May 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 20, "An Act providing that any hotel or boarding house, country club, garage, and rent car stands or other place to which the people resort for board or lodging or commonly congregate for business or pleasure, and which place repeatedly permits employees or guests to make, sell or give away intoxicating liquor, or permits parties to drink intoxicating liquors to excess, or permits gambling or prostitution, shall be declared a nuisance to be abated by the courts, and providing that when such acts are repeatedly committed by

guests or employees the fact shall be prima facie evidence that the proprietors, managers or those in charge have knowledge of same, and unless controverted shall be grounds for issuing an order of injunction, and providing that it shall not be necessary to prove that such conditions obtain at the time of the sitting of the court, but only that the material allegations are true, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 108, "An Act creating the Frost Independent School District in Navarro county, Texas; defining its boundaries, including the present Common School District No. 60; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness heretofore voted in Frost Common School District No. 60; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented same to the Governor for his approval.

STIERNBERG, Acting Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 69, "An Act extending oil and gas permits on lands which are now or have been in the possession or under

the control of the Federal receiver appointed by the Supreme Court of the United States for such periods of time, respectively, as such lands have been or may be in such receiver's possession or under his control, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented same to the Governor for his approval.
STIERMBERG, Acting Chairman.

Committee Room,
Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 10, Authorizing and providing for the exchange between the State of Texas, acting by the Board of Prison Commissioners, and the Hermann Hospital Estate of certain lands situated in Fort Bend county, Texas, and authorizing the Board of Prison Commissioners to execute and accept such conveyances as may be necessary to effect same,

Have carefully compared same and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented same to the Governor for his approval.

STIERMBERG, Acting Chairman.

Committee Room,
Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 9, Providing for committee to investigate certain oil companies,

Have carefully compared the same, and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented the same to the Governor for his approval.

STIERMBERG, Acting Chairman.

TWENTIETH DAY.

(Continued.)

(Sunday, May 13, 1923.)

The House met at 10 o'clock a. m. and was called to order by Mr. Beasley.

On motion of Mr. Harrington, the Chaplain, Rev. J. C. Mitchell, offered the usual morning invocation.

(Speaker in the chair.)

BILLS ORDERED NOT PRINTED.

On motion of Mr. Satterwhite, by unanimous consent, Senate bill No. 74 was ordered not printed.

On motion of Mr. Barrett, by unanimous consent, Senate bill No. 109 was ordered not printed.

HOUSE BILL NO. 30 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 30, A bill to be entitled "An Act to repeal Article 7383a as enacted by the Thirty-eighth Legislature, relating to occupation taxes based upon gross receipts, and adding in lieu thereof a new Article 7383a, providing an occupation tax on sulphur produced in the State of Texas by individuals, companies, corporations and associations, and reviving Article 7383a, providing that in the event of either or a part of article be held unconstitutional by the courts shall not invalidate the remainder of said article, and declaring an emergency."

The bill was read second time.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 30 by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. Each and every person who owns, controls, manages, leases or operates any sulphur mine or mines, wells or shafts, or who produces sulphur by any method, system or manner, within this State, shall make quarterly reports on the first days of January, April, July and October of each year, a report to the Comptroller of Public Accounts, sworn to by such person before an officer authorized to administer oaths in this State, or if such person be other than an individual, so sworn to by its president, secretary or other duly authorized officer, on such forms as said Comptroller shall prescribe, showing the total amount of sulphur produced during the quarter next preceding, and the average market value thereof, which shall include any bonus or premiums paid or premiums received or promised during said quarter, and at the time of making said report shall pay to the Treasurer of the State of Texas an occupation tax for the quarter beginning on said date an amount equal to three per cent of the total amount of sulphur produced by such person in this State during said quarter at the average market value thereof, including any bonus or premi-